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HOW TO USE THIS INDEX

This Index, used with the Red Indexes for 1951–60, 1961–70, 1971–80, 1981–90 and 1991–93, will enable you to find any reported case determined since 1951 according to its title or subject matter. The appropriate headings and sub-headings of subject matter under which to look will be found in the Red Indexes. To find a recent case you have then only to look under the same heading and sub-headings in this Index and if necessary in subsequent parts of W.L.R.

Further, this Index contains also, *after* the index of Subject Matter, similar cumulative indexes of Cases, Statutes, Statutory Instruments and Overseas and European Community Enactments Judicially Considered which will likewise be brought up to date weekly in W.L.R.

Thus if in any report in [1994] W.L.R. a judge has said anything which might be argued to affect the weight or effect of any previous decision, or the meaning of any enactment, a reference will be found in the appropriate table to the previous decision or enactment. **The Table of Cases Judicially Considered is not limited to decisions mentioned in the headnote of the reports.**

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Pearson v. Franklin, C.A. [1994] 1 W.L.R. 370

Parental jurisdiction of court

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Child's father convicted paedophile—Proposed broadcast of television programme including material on detection and arrest of father—Application by child's mother for injunction to restrain publication of material identifying father—Whether parental jurisdiction of court to be invoked in child's interest

R. v. Central Independent Television Plc., C.A. [1994] Fam. 192; [1994] 3 W.L.R. 20

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In re **R. (Wardship: Restrictions on Publication),** C.A. [1994] Fam. 254; [1994] 3 W.L.R. 36

COMMERCIAL COURT

Practice

Alternative dispute resolution

Parties to be informed of most cost effective means of dispute resolution—Guide to Commercial Court Practice, Apps. IV, VI

Practice Statement (Commercial Cases: Alternative Dispute Resolution), Cresswell J. [1994] 1 W.L.R. 14

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Interlocutory proceedings and inter partes summonses—R.S.C., Ord. 72, App. A

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CROWN

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Misrepresentation

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Nursing

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DISCRIMINATION, RACE

Employment

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DISCRIMINATION, SEX

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Ministry of Defence v. Cannock, E.A.T. [1994] I.C.R. 918

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Employment—*continued*

Discriminatory act

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EUROPEAN ECONOMIC COMMUNITY

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Appeal to commissioner

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Prior clearance

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Company electing to waive exemption and charge VAT on rents—Rents collected by receiver appointed by bank in accordance with fixed legal charges—Whether customs and excise entitled to treat receiver as taxable person—Whether receiver entitled to use VAT element of rents in discharge of debts owed to bank—Law of Property Act 1925, s. 109(8)—Value Added Tax (General) Regulations 1985 (as amended by Value Added Tax (General) Regulations 1985 (Amendment) Regulations 1985, reg. 11(1)(3))

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Arrest

Private property, on

Police following motorist, entering his driveway and removing him to road—Neighbours witnessing arrest for failure to provide specimen—Tests at police station showing excess alcohol—At trial admission of trespass by police—Justices refusing to issue witness summonses for neighbours—Whether evidence possibly affecting justices' discretion to exclude analysis evidence—Whether refusal erroneous—Police and Criminal Evidence Act 1984, s. 78(1) **Sharpe v. Director of Public Prosecutions,** D.C. [1993] R.T.R. 392

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Blood specimen

Failure to provide specimen

Charge also of failure to provide breath specimen for analysis—Blood or urine specimen required on motorist's suggestion of medical reasons for failure to provide breath—Whether charges inconsistent—Whether to be tried together—Road Traffic Act 1988, s. 7(1)(6)

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Constable failing to ask if medical reasons preventing blood specimen from being taken by doctor—Whether fatal to prosecution for driving with excess alcohol—Whether fatal to prosecution for failing to provide specimen for analysis—Specimen required from patient in hospital—Constable not informing patient why breath specimen unable to be taken—Whether requirement for blood specimen validly made—Road Traffic Act 1988, ss. 7(2)(3)(*b*)(4), 8(2)

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Breath specimen for analysis

Failure to provide specimen

Motorist attempting to provide specimen—Lack of breath caused by pre-existing depressive state—No medical evidence—Justices' finding of "reasonable excuse" for failure to provide specimen—Whether justified—Road Traffic Act 1988, s. 7(6)

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Lion Intoximeter 3000

Unchallenged evidence by operator that machine working properly—Printout attached to statement used by operator to refresh memory—Justices taking view of printout being in evidence—Whether proper—Whether evidence as to reliability sufficient—Road Traffic Offenders Act 1988, s. 16(1)

Greenaway v. Director of Public Prosecutions, D.C. [1994] R.T.R. 17

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Breath specimen for analysis—*continued*

Printout

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Right to provide blood or urine

Specimen of breath containing no more than 50 microgrammes of alcohol in 100 millilitres of breath—Defendant waiving right to provide blood or urine—Waiver allegedly result of unrecorded comments of officers supervising Intoximeter procedure—Whether terms and dissuasive effect of conversation to be proved by defendant on balance of probabilities—Whether to be disproved by prosecutor—Road Traffic Act 1988, s. 7(1)(4)

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Charge alleging failure to provide specimen without reasonable cause—Different penalties depending on whether accused driving or in charge of vehicle—Information not specifying whether specimen required in connection with driving or being in charge—Whether information containing two offences—Whether information required to specify maximum penalty for offence—Road Traffic Act 1988, s. 7(6)—Magistrates' Courts Rules 1981, rr. 12(1), 100 **Director of Public Prosecutions v. Butterworth,** H.L.(E.) [1994] 3 W.L.R. 538

Careless driving

Causing death when under influence of drink or drugs

Sentence—Features aggravating offence—Custodial sentence normal—Road Traffic Act 1988, s. 3A (as inserted by Road Traffic Act 1991, s. 3 and amended by Criminal Justice Act 1993, s. 67(1)) **Reg. v. Shepherd,** C.A. [1994] 1 W.L.R. 530

Dangerous driving

Causing death by

Sentence—Driver aged 19 without full licence driving at night on residential road at excessive speed—Two deaths and injuries to car passengers resulting from loss of control—Three years in young offender institution for each death concurrent—Whether to be criticised—Whether attempted comparison of facts in other cases helpful in deciding appropriate sentence—Road Traffic Act 1988, s. 1 (as substituted by Road Traffic Act 1991, s. 1)

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Reg. v. Shepherd, C.A. [1994] 1 W.L.R. 530

Sentence

Guilty pleas to dangerous driving, unlawfully wounding constable with intent and driving with excess alcohol—Order of probation for two years with requirement to undergo 130 hours of intensive treatment—Disqualification for three years—Driving test to be undergone before licence regained, compensation to victim and costs—Whether probation unduly lenient—Whether sentence to be quashed on Attorney General's reference

Reg. v. Roughsedge, C.A. [1994] R.T.R. 322

Disqualification

Period

Motorist pleading guilty to offence involving mandatory disqualification—Driving licence endorsed with disqualifications of 18 months for single offence and six months under totting-up provisions—Endorsements within three years immediately preceding plea of guilty—Whether disqualification of not less than two years mandatory—Whether motorist person on whom "more than one disqualification" exceeding 56 days imposed within three years immediately preceding commission of offence—Whether two years disqualification proper—Road Traffic Offenders Act 1988 (as substituted by Road Traffic Act 1990, s. 29), s. 34(4)(*b*) **Learmont v. Director of Public Prosecutions,** D.C. [1994] R.T.R. 286

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"Special reasons"

Failure to provide breath specimen for analysis—Justices finding motorist physically unable to activate device—Finding of reasonable excuse for failure overturned on appeal—Whether original finding that defendant trying his best to provide specimen possible "special reasons" for not disqualifying—Road Traffic Offenders Act 1988, s. 34(1)

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Breath alcohol

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Inference that owner driving

Conspiracy to supply controlled drug—Police watching conspirators transfer box of drugs to car—Car driver fitting description of one of car's two owners—Whether inference that car driven by owner—Whether trial judge wrong to sum up without reference to possibility of co-owner permitting third person to drive car **Reg. v. Collins,** C.A. [1994] R.T.R. 216

Driving or attempting to drive

Breath test requirement

Motorist required to take breath test when approaching car—Charge alleging failure to provide specimens during investigation into offence of driving or attempting to drive—Evidence sufficient to establish defendant in charge but not to establish driving or attempting to drive—Justices convicting of failure to provide—Whether mandatory disqualification to be imposed—Whether burden of proof on prosecutor—Whether justices to state basis of sentencing—Road Traffic Act 1988, s. 5(1)

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Gunnell v. Director of Public Prosecutions, D.C. [1994] R.T.R. 151

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Diabetic suffering hypoglycaemic attack—No evidence of injection of excess insulin—Failure to follow medical advice not shown to be causative—Whether insulin capable of being real and effective cause of unfitness to drive

Reg. v. Ealing Magistrates' Court, *Ex parte* **Woodman,** D.C. [1994] R.T.R. 189

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Justices' jurisdiction

Employed driver stopped and vehicle tachograph records examined—Informations preferred and summonses issued against employers and previous driver in area where vehicle stopped—Employers' place of business, and offences taking place, in different areas—Whether justices having jurisdiction—Transport Act 1968, s. 103(7)—Magistrates' Courts Act 1980, ss. 1(2), 2(1) **Reg. v. Abergavenny Justices,** *Ex parte* **Barratt,** D.C. [1994] R.T.R. 98

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Evidence of computer printout—Weighbridge computer automatically recording weight of goods vehicle—Printout produced as evidence of excess weight—Operator of system having no recollection of specific weighing—Computer tested as functioning correctly two months earlier—Whether sufficient evidence computer operating properly at "material times"—Police and Criminal Evidence Act 1984, s. 69(1)(*b*)

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Road transport

Drivers' hours

Break after "4½ hours driving"—Driver taking several breaks of at least 15 minutes during or at end of 4½ hour period—Whether period beginning afresh without taking into account driving time and breaks previously completed by driver—"Break of . . . 45 minutes"—"Breaks of . . . 15 minutes each"—Transport Act 1968, s. 96(11A) (as amended by European Communities Act 1972, s. 4, Sch. 4, Road Traffic (Drivers' Ages and Hours of Work) Act 1976, s. 2(1)(*a*)(*e*) and Community Drivers' Hours and Recording Equipment Regulations 1986, reg. 2)—Council Regulation (E.E.C.) No. 3820/85, art. 7(1)(2)

Charlton v. Director of Public Prosecutions, E.C.J. [1994] R.T.R. 133

Speed limit

Driving at speed in excess of limit

Evidence of speed recorded on radar speed measuring device—Frequent use by operator—Failure of prosecution to produce certificate showing Kustom Falcon device approved by Secretary of State—Justices taking judicial notice of Secretary of State's approval—Whether appropriate—Whether requirement on prosecution to prove approval—Road Traffic Offenders Act 1988, s. 20

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Aggravated vehicle taking

Police using specially adapted motor vehicle for automatic detention of unauthorised taker—Defendant entering vehicle and automatically detained—Breaking window in attempt to escape—Police alerted automatically arriving as soon as practicable and informing defendant of arrest and reason for it—Whether arrest lawful—Whether damage caused before unlawfully taken vehicle recovered—"Damage . . . caused to the vehicle"—Theft Act 1968, s. 12A(1)(2)(*d*) (as inserted by) Aggravated Vehicle-Taking Act 1992, s. 1(1) —Police and Criminal Evidence Act 1984, s. 28(1)(3))

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Failure to provide

Requirement for warning of consequences—Motorist electing to replace breath specimen containing 50 microgrammes of alcohol in 100 millilitres of breath—Sergeant requiring replacement specimen to be of blood—Doctor not available to take blood and motorist required to provide urine—Whether sergeant under obligation to warn about failure to provide specimen—Whether any breach of statutory procedure—Road Traffic Act 1988, ss. 5(1), 7(1)(4), 8(2) **Hayes v. Director of Public Prosecutions,** D.C. [1994] R.T.R. 163

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SALE OF GOODS

Delivery by sea

Demurrage

Notice of readiness tendered at discharge port—Sellers tendering documents for payment—Buyers rejecting documents—Whether buyers liable for demurrage—Whether valid notice of readiness given—Whether sellers failing to make contractual tender of documents—Whether defendants liable under contract of guarantee

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Sampling

Sale of corn gluten feed pellets—Contract providing for analysis to be declared on tender—Buyers appointing superintendents for taking of samples at port of discharge—Whether costs recoverable from sellers **Cefetra B.V. v. Alfred C. Toepfer International G.m.b.H.,** Colman J. [1994] 1 Lloyd's Rep. 93

Price

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SHIPPING

Bill of lading

Arbitration clause

Plaintiffs not charterers of vessel—Bill of lading incorporating "All terms and conditions . . . and arbitration clause of the charterparty"—Dispute between defendants and plaintiffs—Whether bill of lading incorporating arbitration clause—Whether defendants entitled to stay action **Daval Aciers D'usinor et de Sacilor v. Armare S.r.l.,** Clarke J. [1994] 2 Lloyd's Rep. 50

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Cargo, damage to

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Cargo, loss of

Plaintiffs issuing bills of lading in respect of all but three containers—Loss of containers—Whether plaintiffs having sufficient interest to sue in negligence or for alleged breach of shipowners' duties—Whether claims for contribution and indemnity outside Admiralty jurisdiction—Whether claims to be struck out—Whether action to be stayed **The Hamburg Star,** Clarke J. [1994] 1 Lloyd's Rep. 399

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Delivery of goods to bonded warehouse without production of bills of lading—Whether carriers properly delivering goods—Whether carriers liable as bailees of goods **Chilewich Partners v. M. V. Alligator Fortune,** U.S. District Court [1994] 2 Lloyd's Rep. 314

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Delivery without documents—*continued*

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Cargo, damage to

"Clean cargo" loaded onto "dirty ship"—Cargo contaminated—Amount of information to be included in voyage orders—Whether carriers liable **Caltex Refining Co. Pty. Ltd. v. B.H.P. Transport Ltd.,** Carruthers J. [1994] 1 Lloyd's Rep. 335

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Cargo of ground-nuts infested with Khapra beetle—Cargo jettisoned at sea—Whether infestation originating in ground-nut cargo shipped under charter—Whether Khapra beetle already on board vessel when cargo shipped—Whether cargo dangerous by reason of presence of Khapra beetle—Whether shippers liable—Bills of Lading Act 1855, s. 1 **Effort Shipping Co. Ltd. v. Linden Management S.A.,** Longmore J. [1994] 2 Lloyd's Rep. 171

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Dispute as to calculation of laytime—Charterers failing to have complete cargo available on arrival of vessel at loading port—Whether delay caused to count as "used laytime"—Whether holiday exception applicable—Whether award to be remitted

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Notice of readiness—Vessel giving notice—Vessel delayed by non-availability of berth and infestation of insects requiring fumigation—Whether notice of readiness valid—Whether shipowners entitled to claim demurrage

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Charterers ordering plaintiffs' vessel to Ravenna—Vessel being moored alongside Setramar berth—Defendants' vessel passing plaintiffs' vessel causing it to touch quay and and fender to penetrate plating—Damage to plaintiffs' vessel and cargo—Whether Setramar berth unsafe berth—Contribution between defendants—Civil Liability (Contribution) Act 1978, ss. 2, 6(1) **Prekookeanska Plovidba v. Feltstar Shipping Corpn. (S.T.C. Scantrade A.B., Third Party),** Sheen J. [1992] 1 Lloyd's Rep. 449 C.A. [1994] 2 Lloyd's Rep. 14

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Court "first seised" of proceedings

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Contribution

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Safe operation of ship

Liability for

Ship sailing before chief engineer familiar with machinery—Managers charged with failing to secure that ship operated in safe manner—No finding as to reasonable step that should have been taken by managers—Whether managers liable for omissions of all employees—Merchant Shipping Act 1988, s. 31

Seaboard Offshore Ltd. v. Secretary of State for Transport, H.L.(E.) [1994] 1 W.L.R. 541

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"*Action (short of dismissal)*"—Employment Protection (Consolidation) Act 1978, s. 23(1)(*b*) (as amended) **Johnstone v. B.B.C. Enterprises Ltd.,** E.A.T. [1994] I.C.R. 180

"*Adopted*"—Insolvency Act 1986, s. 19(5) **Powdrill v. Watson,** C.A. [1994] I.C.R. 395

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"*Any inherent cause*"—Homicide Act 1957, s. 2(1)
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"*Any occasion*"—Contempt of Court Act 1981, s. 14
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"*Appropriate adult*"—Code of Practice for the Detention, Treatment and Questioning of Persons by Police Officers, C1.7, 13.1 **Reg. v. Jefferson,** C.A. [1994] 1 All E.R. 270

"*Ascertained*"—Sale of Goods Act 1979, s. 16
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"*Charged with the duty of investigating offences*"—Police and Criminal Evidence Act 1984, s. 67(*a*)
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"*Common duty of care*"—Occupiers' Liability Act (Northern Ireland) 1957, s. 2
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"*Decided*"—Sex Discrimination Act 1975, s. 76(6)(*c*)
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"*Embarrassed*"—R.S.C., Ord. 22, r. 1(5) **Walker v. Turpin,** C.A. [1994] 1 W.L.R. 196

"*Equipment*"—Employer's Liability (Defective Equipment) Act 1969, s. 1(1)(3)
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"*Footpath . . . by the side of any road*"—Highway Act 1835, s. 72
Selby v. Director of Public Prosecutions, D.C. [1994] R.T.R. 157

"*Gipsies*"—Caravan Sites Act 1968, s. 16
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"*Holding company*"—Income and Corporation Taxes Act 1970, s. 258(5)
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"*Home for headmaster*"—Contract of employment
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"*Homeless intentionally*"—Housing Act 1985, s. 60(1)
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"*Improper, unreasonable or negligent*"—Supreme Court Act 1981, s. 51(7) (as substituted)
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"*Insolvent*"—Employment Protection (Consolidation) Act 1978, s. 122
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"*Intimate search*"—Police and Criminal Evidence Act 1984, ss. 55(1), 118(1)
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"*Investigating offences*"—Police and Criminal Evidence Act 1984, s. 67(9)
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"*Investment business*"—Financial Services (Compensation of Investors) Rules 1990, r. 2.03(1)
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"*Is suffering, or is likely to suffer*"—Children Act 1989, s. 31(2)
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"*Issued* "—Income and Corporation Taxes Act 1988, ss. 289, 299A (as inserted)
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"*Item subject to legal privilege*"—Police and Criminal Evidence Act 1984, s. 10(1)(*c*)
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"*Lack of care*"—Inquest
Reg. v. H.M. Coroner for North Humberside and Scunthorpe, *Ex parte* **Jamieson,** C.A. [1994] 3 W.L.R. 82

"*Land* "—Land Development Corporation Ordinance, s. 15
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"*Letting of immovable property*"—Council Directive (77/388/E.E.C.), art. 13(B)(*b*)
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"*Life prisoner*"—Criminal Justice Act 1991, Sch. 12, para. 9
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"*Liquidated sum*"—Insolvency Act 1986, s. 267(2)(*b*)
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"*Living on the earnings of prostitution*"—Sexual Offences Act 1956, s. 30(1)
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"*Loss or damage*"—U.S. Carriage of Goods by Sea Act 1936, s. 3(6)
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"*Material circumstance*"—Marine Insurance Act 1906, s. 18(1)
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"*Material times*"—Police and Criminal Evidence Act 1984, s. 69(1)(*b*)
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"*Medical treatment*"—Mental Health Act 1983, s. 72(1)(*b*)(ii)
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"*More than one disqualification*"—Road Traffic Offenders Act 1988 (as substituted by Road Traffic Act 1990, s. 29), s. 34(4)(*b*)
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"*Normal retiring age*"—Employment Protection (Consolidation) Act 1978, s. 64(1)(*b*) (as substituted) **Barclays Bank Plc. v. O'Brien,** C.A. [1994] I.C.R. 865

"*Obligation*"—Theft Act 1968, s. 5(3) **Reg. v. Dubar,** Ct.-M.A.C. [1994] 1 W.L.R. 1484

"*Obligation or liability*"—Interpretation Act 1978, s. 16(1)
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"*On the life of any person*"—Life Assurance Act 1774, s. 1
Fuji Finance Inc. v. Aetna Life Insurance Co. Ltd., Sir Donald Nicholls V.-C. [1994] 3 W.L.R. 1280

"*One of a number of defendants*"—Civil Jurisdiction and Judgments Act 1982, s. 16, Sch. 4, art. 6(1)
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C.A. [1994] Q.B. 404; [1994] 2 W.L.R. 466

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"*Operate*"—Local Government (Miscellaneous Provisions) Act 1976, s. 46(1)
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"*Other grounds*"—Insolvency Rules 1986, r. 6.5(4)(*d*)
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"*Other proceedings*"—Insolvency Act 1986, s. 11(3)(*d*)
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"*Pay*"—E.E.C. Treaty, art. 119
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"*Person in respect of whom*"—Children and Young Persons Act 1933, s. 39
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"*Person . . . interested*"—Companies Act 1985, s. 651(1)
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"*Plying for hire with any carriage*"—Town Police Clauses Act 1847, s. 45
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"*Principles*"—State-Owned Enterprises Act 1986, s. 9
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"*Private hire vehicle*"—Local Government (Miscellaneous Provisions) Act 1976, ss. 46(1)(*d*), 55
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"*Process*"—Asbestos Regulations 1969, regs. 3(2), 5(2), 9
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"*Prostitute*"—Sexual Offences Act 1956, s. 30(1) **Reg. v. McFarlane,** C.A. [1994] Q.B. 419; [1994] 2 W.L.R. 494

"*Provision for invitation or acceptance of bookings*"—Local Government Miscellaneous Provisions Act 1976, s. 80(1)
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"*Purpose*"—Employment Protection (Consolidation) Act 1978, s. 23(1)(*a*) (as amended)
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"*Questioned in any legal proceedings whatsoever*"—Wildlife and Countryside Act 1981, Sch. 15, para. 12(3) **Reg. v. Cornwall County Council,** *Ex parte* **Huntington,** C.A. [1994] 1 All E.R. 694

"*Reasonable*"—Employment Protection (Consolidation) Act 1978, s. 67(2)
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"*Reasonable excuse*"—Road Traffic Act 1988, s. 7(6)
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"*Reasonable financial provision*"—Inheritance (Provision for Family and Dependants) Act 1975, ss. 1(1), 2(1), 3(1) *In re* **Jennings, decd.,** C.A. [1994] Ch. 286; [1994] 3 W.L.R. 67

"*Reasonable man*"—Homicide Act 1957, s. 3 **Reg. v. Morhall,** C.A. [1993] 4 All E.R. 888

"*Recklessness*"—Involuntary manslaughter **Reg. v. Adomako,** H.L.(E.) [1994] 3 W.L.R. 288

"*Registered*"—Commons Registration Act 1965, s. 1(1)
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"*Relating to . . . adoption*"—Adoption Act, 1976, s. 6
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"*Relating to a contract*"—Civil Jurisdiction and Judgments Act 1982, Sch. 4, art. 5(1)
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"*Relating to tort, delict or quasi-delict*"—Civil Jurisdiction and Judgments Act 1982, Sch. 4, art. 5(3)
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"*Rent*"—Housing Act 1985, Sch. 6, para. 11
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"*Representations*"—Evidence Act 1989, s. 9(8) *In re* **Evans,** H.L.(E.) [1994] 1 W.L.R. 1006

"*Residential accommodation*"—Registered Homes Act 1984, s. 1(1)
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"*Retrenched worker*"—Retrenchment and Severance Benefits Act 1985, s. 18(1)
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"*Ride*"—Highway Act 1835, s. 72 **Selby v. Director of Public Prosecutions,** D.C. [1994] R.T.R. 157

"*Same employment*"—Equal Pay Act 1970, s. 1(2)(*b*)(*c*)(6) (as amended)
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"*Sentence*"—Criminal Appeal Act 1968, s. 50(1)
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"*Sentence*"—Criminal Justice Act 1991, s. 1(2) **Reg. v. Crawford,** C.A. (1993) 98 Cr.App.R. 297

"*Service*"—E.E.C. Treaty, arts. 59, 60 **Customs and Excise Comrs. v. Schindler (Case C-275/92),** E.C.J. [1994] Q.B. 610; [1994] 3 W.L.R. 103

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"*Some other substantial reason*"—Employment Protection (Consolidation) Act 1978, s. 57(1)(*b*)
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"*Special reasons*"—Road Traffic Offenders Act 1988, s. 34(1)
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"*Subject to details/logical amendments*"—Charterparty
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"*Subsidiary*"—Companies Act 1985, s. 151(1)
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"*Tax*"—Income and Corporation Taxes Act 1988, s. 419
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"*The appellant*"—Taxes Management Act 1970, s. 56(2)
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"*There and then*"—Water Act 1989, s. 148(1)(*b*)
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"*Trade dispute*"—Trade Union and Labour Relations (Consolidation) Act 1992, ss. 219, 244
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"*Type*"—Dangerous Dogs Act 1991, s. 1(1)(*a*)
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"*Unambiguous, easily identifiable and clearly legible*"—Price Marking Order 1991, art. 8
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"*Use*"—Data Protection Act 1984, s. 5(2)(*b*)
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"*Used laytime*"—Charterparty
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"*Visitor*"—Occupiers' Liability Act (Northern Ireland) 1957, s. 2
McGeown v. Northern Ireland Housing Executive, H.L.(N.I.) [1994] 3 W.L.R. 187

"*Wholly, exclusively and necessarily*"—Income and Corporation Taxes Act 1970, s. 189(1)
Fitzpatrick v. Inland Revenue Comrs., H.L.(E. & Sc.) [1994] 1 W.L.R. 306

"*Within a reasonable time*"—Inland Revenue Ordinance, s. 64(2)
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"*Without any deduction*"—Lease
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Austerberry v. Oldham Corpn. (1885) 29 Ch.D. 750, C.A. **Applied,** *Rhone v. Stephens* [1994] 2 A.C. 310; [1994] 2 W.L.R. 429, H.L.(E.)

Austin Rover Group Ltd. v. Her Majesty's Inspector of Factories [1990] 1 A.C. 619, 634; [1989] 3 W.L.R. 520; [1990] I.C.R. 133; [1989] 2 All E.R. 1087, H.L.(E.). **Dictum of Lord Jauncey of Tullichettle considered,** *R.M.C. Roadstone Products Ltd. v. Jester* [1994] I.C.R. 456, D.C.

Axel Johnson Petroleum A.B. v. M.G. Mineral Group A.G. [1992] 1 W.L.R. 270; [1992] 2 All E.R. 163, C.A. **Distinguished,** *Aectra Refining and Manufacturing Inc. v. Exmar N.V.* [1994] 1 W.L.R. 1634, C.A.

B. (Minors) (Care: Contact: Local Authority's Plans), *In re* [1993] 1 F.L.R. 543, 551, C.A. **Dicta of Butler-Sloss L.J. considered,** *Manchester City Council v. T.* [1994] Fam. 181; [1994] 2 W.L.R. 594, C.A.

B. (Minors) (Termination of Contact: Paramount Consideration), *In re* [1993] Fam. 301; [1993] 3 W.L.R. 63; [1993] 3 All E.R. 524, C.A. **Applied,** *In re* C. (A Minor) (Adoption) [1994] 1 W.L.R. 1220, C.A.

B. v. Derbyshire County Council [1992] 1 F.L.R. 538, 546. **Dicta of Sir Stephen Brown P. approved,** *Oxfordshire County Council v. M.* [1994] Fam. 151; [1994] 2 W.L.R. 393, C.A.

B.I.C.C. Plc. v. Burndy Corpn. [1985] Ch. 232; [1985] 2 W.L.R. 132; [1985] 1 All E.R. 417, C.A. **Applied,** *Aectra Refining and Manufacturing Inc. v. Exmar N.V.* [1994] 1 W.L.R. 1634, C.A.

Balfour v. Foreign and Commonwealth Office [1993] I.C.R. 663, E.A.T. **Decision of the Employment Appeal Tribunal affirmed** [1994] 1 W.L.R. 681; [1994] I.C.R. 277, C.A.

Ballard v. Tomlinson (1884) 26 Ch.D. 194. **Distinguished,** *Cambridge Water Co. v. Eastern Counties Leather Plc.* [1994] 2 A.C. 264; [1994] 2 W.L.R. 53, H.L.(E.)

Bank Mellat v. Helliniki Techniki S.A. [1984] Q.B. 291; [1983] 3 W.L.R. 783; [1983] 3 All E.R. 428, C.A. **Considered,** *S.A. Coppée Lavalin N.V. v. Ken-Ren Chemicals and Fertilizers Ltd.* [1994] 2 W.L.R. 631, H.L.(E.)

Bank of America National Trust and Savings Association v. Christmas [1994] 1 All E.R. 410, 415 416. **Dicta of Hirst J. approved,** *Welsh Development Agency v. Redpath Dorman Long Ltd.* [1994] 1 W.L.R. 1409, C.A.

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Barber v. Guardian Royal Exchange Assurance Group (Case C 262/88) [1990] I.C.R. 616; [1991] 1 Q.B. 344; [1991] 2 W.L.R. 72; [1990] 2 All E.R. 660, E.C.J. **Applied,** *Mediguard Services Ltd. v. Thame* [1994] I.C.R. 751, E.A.T. **Considered,** *Ministry of Defence v. Cannock* [1994] I.C.R. 918, E.A.T.

Barclays Bank Ltd. v. Taylor [1974] Ch. 137; [1973] 2 W.L.R. 293; [1973] 1 All E.R. 752, C.A. **Applied,** *Clark v. Chief Land Registrar* [1994] Ch. 370; [1994] 3 W.L.R. 593, C.A.

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Barclays Bank Plc. v. Glasgow City Council [1993] Q.B. 429; [1992] 3 W.L.R. 827. **Decision of Hirst J. affirmed in part** [1994] 2 W.L.R. 466, C.A.

Barclays Bank Plc. v. Miller [1990] 1 W.L.R. 343; [1990] 1 All E.R. 1040, C.A. **Applied,** *Fort Sterling Ltd. v. South Atlantic Cargo Shipping N.V.* [1994] 1 Lloyd's Rep. 559

Barclays Bank Plc. v. O'Brien [1993] I.C.R. 347. **Decision of the Employment Appeal Tribunal affirmed,** [1994] I.C.R. 865, C.A.

Barder v. Barder [1988] A.C. 20; [1987] 2 W.L.R. 1350; [1987] 2 All E.R. 440, H.L.(E.). **Considered,** *Crozier v. Crozier* [1994] Fam. 114; [1994] 2 W.L.R. 444

Barker (George) (Transport) Ltd. v. Eynon [1974] 1 W.L.R. 462; [1974] 1 All E.R. 900, C.A. **Followed,** *In re ELS Ltd.* [1994] 3 W.L.R. 616

Barking and Dagenham London Borough Council v. O. [1993] Fam. 295; [1993] 3 W.L.R. 493; [1993] 4 All E.R. 59. **Disapproved,** *Oxfordshire County Council v. M.* [1994] Fam. 151; [1994] 2 W.L.R. 393, C.A. **Not followed,** *In re R. (A Minor) (Disclosure of privileged material)* [1993] 4 All E.R. 702

Barlow Clowes Gilt Managers Ltd., *In re* [1992] Ch. 208; [1992] 2 W.L.R. 36; [1991] 4 All E.R. 385. **Considered,** *In re Arrows Ltd. (No. 4)* [1994] 3 W.L.R. 656, H.L.(E.)

Barnes v. Eddleston (1876) 1 Ex.D. 102, C.A. **Applied,** *Aitken v. South Hams District Council* [1994] 3 W.L.R. 333, H.L.(E.)

Bartlett v. Barclays Trust Co. Ltd. (No. 2) [1980] Ch. 515; [1980] 2 W.L.R. 430; [1980] 1 All E.R. 139. **Considered,** *Mathew v. T. M. Sutton Ltd.* [1994] 1 W.L.R. 1455

Barton v. Fincham [1921] 2 K.B. 291, C.A. **Applied,** *Nicholls v. Kinsey* [1994] Q.B. 600; [1994] 2 W.L.R. 622, C.A.

Barton v. The Queen (1980) 147 C.L.R. 75. **Distinguished,** *Brooks v. Director of Public Prosecutions* [1994] 1 A.C. 568; [1994] 2 W.L.R. 381, P.C.

Bates (Thomas) and Son Ltd. v. Wyndham's (Lingerie) Ltd. [1981] 1 W.L.R. 505; [1981] 1 All E.R. 1077, C.A. **Considered,** *Racal Group Services Ltd. v. Ashmore* (1993) T.C. Leaflet No. 3400

Batis Maritime Corpn. v. Petroleos del Mediterraneo S.A. (The Batis) [1990] 1 Lloyd's Rep. 345. **Considered,** *Torvald Klaveness A/S v. Arni Maritime Corpn.* [1994] 1 W.L.R. 1465, H.L.(E.)

Beaman v. A.R.T.S. Ltd. [1949] 1 K.B. 550; [1949] 1 All E.R. 465, C.A. **Considered,** *Sheldon v. R.H.M. Outhwaite (Underwriting Agencies) Ltd.* [1994] 3 W.L.R. 999, C.A.

Beckford v. The Queen [1988] A.C. 130; [1987] 3 W.L.R. 611; [1987] 3 All E.R. 425, P.C. **Applied,** *Blackburn v. Bowering* [1994] 1 W.L.R. 1324, C.A. Vasquez v. The Queen [1994] 1 W.L.R. 1304, P.C.

Bekhor (A.J.) & Co. Ltd. v. Bilton [1981] Q.B. 923; [1981] 2 W.L.R. 601; [1981] 2 All E.R. 565; [1981] 1 Lloyd's Rep. 491, C.A. **Considered,** *Gidrxslme Shipping Co. Ltd. v. Tantomar-Transportes Maritimos Lda.* [1994] 4 All E.R. 507

Belgian Grain Products Co. Ltd. v. Cox & Co. (France) Ltd. [1919] W.N. 317, C.A. **Distinguished,** *Kuwait Airways Corpn. v. Iraqi Airways Co. (No. 2)* [1994] 1 W.L.R. 985, C.A.

Bell v. Peter Browne & Co. [1990] 2 Q.B. 495; [1990] 3 W.L.R. 510; [1990] 3 All E.R. 124, C.A. **Distinguished,** *R. v. Investors Compensation Scheme Ltd., Ex parte Weyell* [1994] Q.B. 749; [1994] 2 W.L.R. 678, D.C.

Bell-Booth Group Ltd. v. Attorney-General [1989] 3 N.Z.L.R. 148. **Not followed,** *Spring v. Guardian Assurance Plc.* [1994] 3 W.L.R. 354; [1994] I.C.R. 596, H.L.(E.)

Belmont & Co. Ltd., *In re* [1952] Ch. 10; [1951] 2 All E.R. 898. **Considered,** *In re Townreach Ltd. (No. 002081 of 1994)* [1994] 3 W.L.R. 983

Bentley v. Bristol and Weston Health Authority [1991] 2 Med. L.R. 359. **Overruled,** *Broadley v. Guy Clapham & Co.* [1994] 4 All E.R. 439

Bentley v. Northumbria Police [1984] R.T.R. 276, D.C. **Distinguished,** *Roberts v. Director of Public Prosecutions* [1994] R.T.R. 31, D.C.

Berg v. Besselsen (Cases 144/87, 145/87) [1990] I.C.R. 396; [1988] E.C.R. 2559, E.C.J. **Distinguished,** *Allan v. Sterling District Council* [1994] I.C.R. 434, E.A.T.

Berger v. Pollock [1973] 2 Lloyd's Rep. 442. **Approved,** *Pan Atlantic Insurance Co. Ltd. v. Pine Top Insurance Co. Ltd.* [1994] 3 W.L.R. 677, H.L.(E.)

Biggerstaff v. Rowatt's Wharf Ltd. [1896] 2 Ch. 93, C.A. **Considered,** *Aectra Refining and Manufacturing Inc. v. Exmar N.V.* [1994] 1 W.L.R. 1634, C.A.

Bilka-Kaufhaus G.m.b.H. v. Weber von Hartz (Case 170/84) [1987] I.C.R. 110; [1986] E.C.R. 1607, E.C.J. **Applied,** *R. v. Secretary of State for Employment, Ex parte Equal Opportunities Commission* [1994] 2 W.L.R. 409; [1994] I.C.R. 317, H.L.(E.)

Bird v. Brown (1850) 4 Exch. 786. **Distinguished,** *Presentaciones Musicales S.A. v. Secunda* [1994] Ch. 271; [1994] 2 W.L.R. 660, C.A.

Birkett v. James [1978] A.C. 297; [1977] 3 W.L.R. 38; [1977] 2 All E.R. 801, H.L.(E.). **Distinguished,** *Rastin v. British Steel Plc.* [1994] 1 W.L.R. 732, C.A.; *Secretary of State for the Environment v. Euston Centre Investments Ltd.* [1994] 1 W.L.R. 563; [1994] 3 W.L.R. 1081, C.A.

Birmingham City Council v. H. (A Minor) [1993] 1 F.L.R. 883, C.A. **Decision of the Court of Appeal reversed** [1994] 2 A.C. 212; [1994] 2 W.L.R. 31, H.L.(E.)

Bishopsgate Investment Management Ltd. v. Maxwell [1993] B.C.C. 120, C.A. **Applied,** *Target Holdings Ltd. v. Redferns* [1994] 1 W.L.R. 1089, C.A.

Blackburn v. Attorney-General [1971] 1 W.L.R. 1037; [1971] 2 All E.R. 1380, C.A. **Applied,** *R. v. Secretary of State for Foreign and Commonwealth Affairs, Ex parte Rees-Mogg* [1994] Q.B. 552; [1994] 2 W.L.R. 115, D.C.

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Boaler, *In re* [1915] 1 K.B. 21, C.A. **Considered,** *Ex parte Ewing (No. 2)* [1994] 1 W.L.R. 1553, C.A.

Bolton Partners v. Lambert (1889) 41 Ch.D. 295, C.A. **Considered,** *Presentaciones Musicales S.A. v. Secunda* [1994] Ch. 271; [1994] 2 W.L.R. 660, C.A.

Bourhill v. Young [1943] A.C. 92; [1942] 2 All E.R. 396, H.L.(Sc.). **Considered,** *Page v. Smith* [1994] R.T.R. 293, C.A.

Boys v. Chaplin [1968] 2 Q.B. 1, 23, 30, 36; [1968] 2 W.L.R. 328; [1968] 1 All E.R. 283, C.A. **Dicta of Lord Denning M.R., Lord Upjohn and Diplock L.J. applied,** *Welsh Development Agency v. Redpath Dorman Long Ltd.* [1994] 1 W.L.R. 1409, C.A.

Boys v. Chaplin [1971] A.C. 356; [1969] 3 W.L.R. 322; [1969] 2 All E.R. 1085, H.L.(E.). **Applied,** *Red Sea Insurance Co. Ltd. v. Bouygues S.A.* [1994] 3 W.L.R. 926, P.C.

Bradburn v. Great Western Railway Co. [1874–80] All E.R. Rep. 195. **Applied,** *Brown v. KMR Services* [1994] 4 All E.R. 385

Brassington v. Guthrie [1992] S.T.C. 47. **Approved,** *Petch v. Gurney* [1994] 3 All E.R. 731, C.A.

Brice v. Brown [1984] 1 All E.R. 997. **Considered** *Page v. Smith* [1994] R.T.R. 293, C.A.

British Basic Slag Ltd. v. Registrar of Restrictive Trading Agreements [1963] W.L.R. 727; [1963] 2 All E.R. 807; (1963) L.R. 4 R.P. 116, C.A. **Considered,** *Supply of Ready Mixed Concrete (No. 2), In re* [1994] 3 W.L.R. 1249, H.L.(E.)

British Coal Corpn. v. Smith [1993] I.C.R. 529. **Decision of the Employment Appeal Tribunal reversed,** [1994] I.C.R. 810, C.A.

Broadhurst v. The Queen [1964] A.C. 441; [1964] 2 W.L.R. 38; [1964] 1 All E.R. 111, P.C. **Considered,** *R. v. Bey* [1994] 1 W.L.R. 39, C.A.

Brooks v. Brooks [1993] Fam. 322. **Decision of Ewbank J. affirmed** [1994] 3 W.L.R. 1292, C.A.

Brooks v. National Westminster Bank Ltd. (unreported), 8 November 1983; Court of Appeal (Civil Division) Transcript No. 464 of 1983, C.A. **Distinguished,** *Harris v. Lord Shuttleworth* [1994] I.C.R. 991, C.A.

Brown v. Bullock [1961] 1 W.L.R. 1095; [1961] 3 All E.R. 129, C.A. **Applied,** *Fitzpatrick v. Inland Revenue Comrs.* [1994] 1 W.L.R. 306, H.L.(E. & Sc.)

Brown v. Draper [1944] I.C.B. 309; [1944] 1 All E.R. 246, C.A. **Considered,** *Barnett v. O'Sullivan* [1994] 1 W.L.R. 1667, C.A.

Brown's Trustees v. Hay (1897) 3 T.C. 598. **Considered,** *Lonrho Plc. v. Fayed (No. 4)* [1994] 2 W.L.R. 209, C.A.

Bullard v. The Queen [1957] A.C. 635, 642 644; [1957] 3 W.L.R. 656; [1961] 3 All E.R. 470, P.C. **Applied,** *Reg. v. Cambridge* [1994] 1 W.L.R. 971, C.A. **Dictum of Lord Tucker applied,** *R. v. Rossiter* [1994] 2 All E.R. 752, C.A.

Burton v. British Railways Board (Case 19/81) [1982] I.C.R. 329, E.C.J. **Doubted,** *Mediguard Services Ltd. v. Thame* [1994] I.C.R. 751, E.A.T.

C. (A Minor) (Wardship: Medical Treatment) (No. 2), *In re* [1990] Fam. 39; [1989] 3 W.L.R. 252; [1989] 2 All E.R. 791, C.A. **Considered,** *R. v. Central Independent Television Plc.* [1994] Fam. 192; [1994] 3 W.L.R. 20, C.A.

Calder v. Rowntree Mackintosh Confectionery Ltd. [1992] I.C.R. 372, E.A.T.; [1993] I.C.R. 811, C.A. **Followed,** *Yorkshire Blood Transfusion Service v. Plaskitt* [1994] I.C.R. 74, E.A.T.

Callaghan, decd., *In re* [1985] Fam. 1; [1984] 3 W.L.R. 1076; [1984] 3 All E.R. 790. **Considered,** *In re Jennings, decd.* [1994] Ch. 286; [1994] 3 W.L.R. 67, C.A.

Canada Steamships Lines Ltd. v. R. [1952] A.C. 192, 208; [1952] 1 All E.R. 305, P.C. **Applied,** *E.E. Caledonia Ltd. v. Orbit Valve Co. Plc.* [1994] 2 Lloyd's Rep. 239, C.A. **Dictum of Lord Morton of Henryton considered,** *E.E. Caledonia Ltd. v. Orbit Valve Co. Europe* [1994] 1 W.L.R. 1515, C.A.

Cap Blanco, The [1913] P. 131, C.A. **Considered,** *K.H. Enterprise* [1994] 1 Lloyd's Rep. 593, P.C.

Caparo Industries Plc. v. Dickman [1990] 2 A.C. 605; [1990] 2 W.L.R. 358; [1990] 1 All E.R. 568, H.L.(E.). **Applied,** *Galoo Ltd. v. Bright Grahame Murray* [1994] 1 W.L.R. 1360, C.A.; *Hemmens v. Wilson Browne* [1994] 2 W.L.R. 323; *Marc Rich & Co. A.G. v. Bishop Rock Marine Co. Ltd.* [1994] 1 W.L.R. 1071, C.A. **Considered,** *Spring v. Guardian Assurance Plc.* [1994] 3 W.L.R. 354; [1994] I.C.R. 596, H.L.(E.)

Cape Copper Co. v. Comptoir d'Escompte de Paris (1890) 38 W.R. 763, C.A. **Distinguished,** *Panayiotou v. Sony Music Entertainment (U.K.) Ltd.* [1994] Ch. 143; [1994] 2 W.L.R. 241

Capital and Suburban Properties Ltd. v. Swycher [1976] Ch. 319; [1976] 2 W.L.R. 822; [1976] 1 All E.R. 881, C.A. **Considered,** *R. v. Harrow Crown Court, Ex parte Dave* [1994] 1 W.L.R. 98, D.C.

Cardle v. Mulrainey, 1992 S.L.T. 1152. **Considered,** *R. v. Kingston* [1994] 3 W.L.R. 519, H.L.(E.)

Caribbean Gold Ltd. v. Alga Shipping Co. Ltd. [1993] 1 W.L.R. 1100. **Disapproved,** *Singh (Joginder) v. Duport Harper Foundries Ltd.* [1994] 1 W.L.R. 769, C.A.

Carmichael v. Rosehall Engineering Works Ltd., 1984 S.L.T. 40. **Considered,** *R.M.C. Roadstone Products Ltd. v. Jester* [1994] I.C.R. 456, D.C.

Carslogie Steamship Co. Ltd. v. Royal Norwegian Government [1952] A.C. 292; [1952] 1 All E.R. 20, H.L.(E.). **Applied,** *Beoco Ltd. v. Alfa Laval Co. Ltd.* [1994] 3 W.L.R. 1179, C.A.

Carter and Kenderdine's Contract, *In re* [1897] 1 Ch. 776, C.A. **Applied,** *In re Dent (A Bankrupt)* [1994] 1 W.L.R. 956, D.C.

Carter v. Boehm (1766) 3 Burr. 1905. **Considered,** *Pan Atlantic Insurance Co. Ltd. v. Pine Top Insurance Co. Ltd.* [1994] 3 W.L.R. 677, H.L.(E.)

Carter-Fea v. Graham (1964) 62 L.G.R. 279, D.C. **Doubted,** *In re Barretto* [1994] Q.B. 392; [1994] 2 W.L.R. 149, C.A.

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Channel Tunnel Group Ltd. v. Balfour Beatty Construction Ltd. [1993] A.C. 334; [1993] 2 W.L.R. 262; [1993] 1 All E.R. 664; [1993] 1 Lloyd's Rep. 291, H.L.(E.). **Considered,** *Balkanbank v. Taher* [1994] 4 All E.R. 239

Chappell v. Cooper [1980] 1 W.L.R. 958; [1980] 2 All E.R. 463, C.A. **Applied,** *Singh (Joginder) v. Duport Harper Foundries Ltd.* [1994] 1 W.L.R. 769, C.A.

Chappell v. Mehta [1981] 1 All E.R. 349, C.A. **Applied,** *Zuliani v. Veira* [1994] 1 W.L.R. 1149, P.C.

Charge Card Services Ltd., *In re* [1987] Ch. 150, 177; [1986] 3 W.L.R. 697; [1986] 3 All E.R. 289. **Dictum of Millett J. considered,** *In re Bank of Credit and Commerce International S.A. (No. 8)* [1994] 3 W.L.R. 911

Cheadle, *In re* [1900] 2 Ch. 620, C.A. **Considered,** *Hunter v. Moss* [1994] 1 W.L.R. 452, C.A.

Chief Constable of the North Wales Police v. Evans [1982] 1 W.L.R. 1155, 1173; [1982] 3 All E.R. 141, H.L.(E.). **Dictum of Lord Brightman applied,** *Mercury Energy Ltd. v. Electricity Corpn. of New Zealand Ltd.* [1994] 1 W.L.R. 521, P.C.

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Churchill v. A. Yeates & Sons Ltd. [1983] I.C.R. 380, E.A.T. **Followed,** *Marley (U.K.) Ltd. v. Anderson* [1994] I.C.R. 295, E.A.T.

City Fur Manufacturing Co. Ltd. v. Fureenbond (Brokers) London Ltd. [1937] 1 All E.R. 799, 802. **Dictum of Branson J. applied,** *Forsythe International (U.K.) Ltd. v. Silver Shipping Co. Ltd.* [1994] 1 All E.R. 851

Clark v. Chief Land Registrar [1993] Ch. 294; [1993] 2 W.L.R. 141; [1993] 2 All E.R. 936. **Decision of Ferris J. affirmed** [1994] Ch. 370; [1994] 3 W.L.R. 593, C.A.

Clark v. Oceanic Contractors Inc. [1983] 2 A.C. 130; [1983] 2 W.L.R. 94; [1983] 1 All E.R. 133, H.L.(E.). **Applied,** *In re Seagull Manufacturing Co. Ltd. (No. 2)* [1994] 2 Ch. 91; [1994] 2 W.L.R. 453

Clark (C. & J.) Ltd. v. Inland Revenue Comrs. [1975] 1 W.L.R. 413; [1975] 1 All E.R. 801, C.A. **Applied,** *In re A Debtor (No. 22 of 1993)* [1994] 1 W.L.R. 46

Clay v. A. J. Crump & Sons Ltd. [1964] 1 Q.B. 533; [1963] 3 W.L.R. 866; [1963] 3 All E.R. 687, C.A. **Distinguished,** *Marc Rich & Co. A.G. v. Bishop Rock Marine Co. Ltd.* [1994] 1 W.L.R. 1071, C.A.

Clegg v. Hands (1890) 44 Ch.D. 503, C.A. **Applied,** *Caerns Motor Services Ltd. v. Texaco Ltd.* [1994] 1 W.L.R. 1249

Clifford, *In re* [1912] 1 Ch. 29. **Considered,** *Hunter v. Moss* [1994] 1 W.L.R. 452, C.A.

Cobelfret N.V. v. Cyclades Shipping Co. Ltd. [1994] 1 Lloyd's Rep. 28. **Applied,** *United Nations/Food and Agriculture Organisation—World Food Programme v. Caspian Navigation Inc.* [1994] 2 Lloyd's Rep. 358

Coltman v. Bibby Tankers Ltd. [1988] A.C. 276; [1987] 3 W.L.R. 1181; [1988] I.C.R. 67; [1987] 3 All E.R. 1068, H.L.(E.). **Applied,** *Knowles v. Liverpool City Council* [1994] I.C.R. 243, H.L.(E.)

Commission of the European Communities v. French Republic (Case 220/83) [1986] E.C.R. 3663, 3709, E.C.J. **Dicta applied,** *Customs and Excise Comrs. v. Schindler (Case C-275/92)* [1994] Q.B. 610; [1994] 3 W.L.R. 103, E.C.J.

Commission of the European Communities v. French Republic (Case 270/83) [1986] E.C.R. 273, E.C.J. **Applied,** *R. v. Inland Revenue Comrs., Ex parte Commerzbank A.G.* (Case C-330/91) [1994] Q.B. 219; [1994] 2 W.L.R. 128, E.C.J.

Compania Naviera Maropan S.A. v. Bowaters Lloyd Pulp and Paper Mills Ltd. [1955] 2 Q.B. 68, 77; [1955] 2 W.L.R. 998; [1955] 2 All E.R. 241, C.A. **Dictum of Devlin J. applied,** *Barclays Bank Plc. v. Fairclough Building Ltd.* [1994] 3 W.L.R. 1057, C.A.

Consolidated Goldfields Plc. v. Inland Revenue Comrs. (1990) 63 T.C. 333. **Considered,** *Whittles v. Uniholdings Ltd.* (1993) T.C. Leaflet No. 3381; *Zielinski v. Pickering* (1993) T.C. Leaflet No. 3391, C.A.

Container Transport International Inc. v. Oceanus Mutual Underwriting Association (Bermuda) Ltd. [1984] 1 Lloyd's Rep. 476, C.A. **Overruled in part,** *Pan Atlantic Insurance Co. Ltd. v. Pine Top Insurance Co. Ltd.* [1994] 3 W.L.R. 677, H.L.(E.)

Conway v. Rimmer [1968] A.C. 910; [1968] 2 W.L.R. 998; [1968] 1 All E.R. 874, H.L.(E.). **Applied,** *Balfour v. Foreign and Commonwealth Office* [1994] 1 W.L.R. 681; [1994] I.C.R. 277, C.A.; *Lonrho Plc. v. Fayed (No. 4)* [1994] Q.B. 775; [1994] 2 W.L.R. 209, C.A.

Cook (James W.) & Co. (Wivenhoe) Ltd. v. Tipper [1990] I.C.R. 558, C.A. **Considered,** *Marley (U.K.) Ltd. v. Anderson* [1994] I.C.R. 295, E.A.T.

Copol Clothing Ltd. v. Hindmarch [1984] 1 W.L.R. 411, C.A. **Considered,** *Attorney-General's Reference (No. 2 of 1994)* [1994] 1 W.L.R. 1579, C.A.

Coppen v. Moore (No. 2) [1898] 2 Q.B. 306; D.C. **Considered,** *Supply of Ready Mixed Concrete (No. 2), In re* [1994] 3 W.L.R. 1249, H.L.(E.)

Costellow v. Somerset County Council [1993] 1 W.L.R. 256; [1993] 1 All E.R. 952, C.A. **Distinguished,** *Rastin v. British Steel Plc.* [1994] 1 W.L.R. 732, C.A.

Council of Civil Service Unions v. Minister for the Civil Service [1985] A.C. 374, 402, 412; [1984] 3 W.L.R. 1174; [1985] I.C.R. 14; [1984] 3 All E.R. 935, H.L.(E.). **Applied,** *R. v. Secretary of State for the Home Department, Ex parte Bentley* [1994] Q.B. 349; [1994] 2 W.L.R. 101, D.C. **Dicta of Lord Fraser of Tullybelton and Lord Diplock applied,** *Balfour v. Foreign and Commonwealth Office* [1994] 1 W.L.R. 681; [1994] I.C.R. 277, C.A.

Council of the City of Sydney v. West (1965) 114 C.L.R. 481. **Applied,** *Glebe Island Terminals Pty. Ltd. v. Continental Seagram Pty. Ltd.* [1994] 1 Lloyd's Rep. 212

County & District Properties Ltd. v. Lyell (Note) [1991] 1 W.L.R. 683, C.A. **Overruled,** *Roebuck v. Mungovin* [1994] 2 A.C. 224; [1994] 2 W.L.R. 290, H.L.(E.)

Courage Take Home Trade Ltd. v. Keys [1986] I.C.R. 874, E.A.T. **Distinguished,** *Soros v. Davison* [1994] I.C.R. 590, E.A.T.

Courtaulds Northern Spinning Ltd. v. Moosa [1984] I.C.R. 218, E.A.T. **Not followed,** *TNT Express Ltd. v. Downes* [1994] I.C.R. 1, E.A.T.

Coventry, decd., *In re* [1980] Ch. 461; [1979] 3 W.L.R. 802; [1979] 3 All E.R. 815, C.A. **Applied,** *In re Jennings, decd.* [1994] Ch. 286; [1994] 3 W.L.R. 67, C.A.

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Cristel v. Cristel [1951] 2 K.B. 725, 731; [1951] 2 All E.R. 574, C.A. **Dictum of Denning L.J. applied,** *Jordan v. Norfolk County Council* [1994] 1 W.L.R. 1353

Crompton (Alfred) Amusement Machines Ltd. v. Customs and Excise Comrs. (No. 2) [1974] A.C. 405; [1973] 3 W.L.R. 268; [1973] 2 All E.R. 1169, H.L.(E). **Considered,** *R. v. Chief Constable of West Midlands, Ex parte Wiley* [1994] 1 W.L.R. 114, C.A.

Cullimore v. Lyme Regis Corpn. [1962] 1 Q.B. 718; [1961] 3 W.L.R. 1340; [1961] 3 All E.R. 1008. **Distinguished,** *Wang v. Comr. of Inland Revenue* [1994] 1 W.L.R. 1286, P.C.

Cunningham v. Harrison [1973] Q.B. 942, 951–952; [1973] 3 W.L.R. 97; [1973] 3 All E.R. 463, C.A. **Dicta of Lord Denning M.R. approved,** *Hunt v. Severs* [1994] 2 A.C. 350; [1994] 2 W.L.R. 602, H.L.(E.)

Curtis v. Maloney [1951] 1 K.B. 736, 742; [1950] 2 All E.R. 982, C.A. **Applied,** *Bulbruin Ltd. v. Romanyszn* [1994] R.T.R. 273; 92 L.G.R. 208, C.A.

Customs and Excise Comrs. v. J.H. Corbitt (Numismatists) Ltd. [1980] S.T.C. 231. **Considered,** *Kelsall v. Investment Chartwork Ltd.* (1993) T.C. Leaflet No. 3384

D. (A Minor), *In re* [1987] A.C. 317; [1986] 3 W.L.R. 1080; [1987] 1 All E.R. 20, H.L.(E.). **Applied,** *In re M. (A Minor) (Care Orders: Threshold Conditions)* [1994] 2 A.C. 424; [1994] 3 W.L.R. 558, H.L.(E.). **Considered,** *In re M. (A Minor) (Care Order: Threshold Conditions)* [1994] Fam. 95; [1994] 2 W.L.R. 200, C.A.

D. (Minors) (Wardship: Disclosure), *In re* [1992] 1 F.C.R. 297, C.A. **Applied,** *Kent County Council v. K.* [1994] 1 W.L.R. 912

D. (An Infant) v. Parsons [1960] 1 W.L.R. 797; [1960] 2 All E.R. 493. **Distinguished,** *Director of Public Prosecutions v. Spriggs* [1994] R.T.R. 1, D.C.

Danby v. Beardsley (1880) 43 L.T. 603. **Applied,** *Martin v. Watson* [1994] Q.B. 425; [1994] 2 W.L.R. 500, C.A.

Davies v. Braithwaite [1931] 2 K.B. 628; 18 T.C. 198. **Considered,** *Hall v. Lorimer* [1994] 1 W.L.R. 209; [1994] I.C.R. 218, C.A.

Davies v. Davies Jenkins & Co. Ltd. [1968] A.C. 1097; [1967] 2 W.L.R. 1139; [1967] 1 All E.R. 913, H.L.(E.). **Applied,** *Imperial Chemical Industries Plc. v. Colmer* [1993] 4 All E.R. 705, C.A.

Davis v. Director of Public Prosecutions [1988] R.T.R. 156, D.C. **Applied,** *R. v. Chichester Justices, Ex parte Director of Public Prosecutions* [1994] R.T.R. 175, D.C.

De Bussche v. Alt (1878) 8 Ch.D. 286. **Distinguished,** *Henderson v. Merrett Syndicates Ltd.* [1994] 3 W.L.R. 761, H.L.(E.)

de Freitas v. Benny [1976] A.C. 239; [1975] 3 W.L.R. 388, P.C. **Distinguished,** *R. v. Secretary of State for the Home Department, Ex parte Bentley* [1994] Q.B. 349; [1994] 2 W.L.R. 101, D.C.

de Lasala v. de Lasala [1980] A.C. 546; [1979] 3 W.L.R. 390; [1979] 2 All E.R. 1146, P.C. **Applied,** *Crozier v. Crozier* [1994] Fam. 114; [1994] 2 W.L.R. 444

Dean v. Ainley [1987] 1 W.L.R. 1729; [1987] 3 All E.R. 748, C.A. **Considered,** *Ruxley Electronics and Construction Ltd. v. Forsyth* [1994] 1 W.L.R. 650, C.A.

Debtor (No. 1 of 1987), *In re* A [1989] 1 W.L.R. 271; [1989] 2 All E.R. 46, C.A. **Considered,** *In re A Debtor (No. 415-SD-1993)* [1994] 1 W.L.R. 917; *In re A Debtor* (No. 340 of 1992) [1994] 3 All E.R. 269

Debtor (No. 1 of 1987), *In re* A [1989] 1 W.L.R. 271, 276; [1989] 2 All E.R. 46, C.A. **Dicta of Nicholls L.J. explained,** *In re A Debtor (No. 415/SD/93), Ex parte the Debtor v. Inland Revenue Comrs.* [1994] 2 All E.R. 168

Debtor (No. 51-SD-1991), *In re* A [1992] 1 W.L.R. 1294; [1993] 2 All E.R. 40. **Considered,** *In re A Debtor (No. 415-SD-1993)* [1994] 1 W.L.R. 917.

Debtor (No. 222 of 1990), *In re* A; *Ex parte* Bank of Ireland [1992] B.C.L.C. 137. **Considered,** *In re Cranley Mansions Ltd.* [1994] 1 W.L.R. 1610

Debtor (No. 222 of 1990), *In re* A; *Ex parte* Bank of Ireland (No. 2) [1993] B.C.L.C. 233. **Considered,** *In re Cranley Mansions Ltd.* [1994] 1 W.L.R. 1610

Debtor (No. 415 SD–1993), *In re* A [1994] 1 W.L.R. 917; [1994] 2 All E.R. 168. **Distinguished,** *In re A Debtor* (Nos. 49 and 50 of 1992) [1994] 3 W.L.R. 847, C.A.

Debtor (No. 960-SD-1992), *In re* A [1993] S.T.C. 218. **Considered,** *In re A Debtor (No. 415-SD-1993)* [1994] 1 W.L.R. 917

Debtor (No. 2389 of 1989), *In re* A [1991] Ch. 326; [1991] 2 W.L.R. 578; [1990] 3 All E.R. 984. **Considered,** *In re A Debtor (No. 32 of 1993)* [1994] 1 W.L.R. 899

Deichland, The [1990] 1 Q.B. 361; [1989] 3 W.L.R. 478; [1989] 2 All E.R. 1066, C.A. **Considered,** *Anna H* [1994] 1 Lloyd's Rep. 287

Delaney v. Staples (trading as De Montfort Recruitment) [1992] 1 A.C. 687, 692–693; [1992] 2 W.L.R. 451; [1992] I.C.R. 483; [1992] 1 All E.R. 944, H.L.(E.). **Dicta of Lord Browne-Wilkinson considered,** *Marshall (Cambridge) Ltd. v. Hamblin* [1994] I.C.R. 362, E.A.T.

Denmark Productions Ltd. v. Boscobel Productions Ltd. [1969] 1 Q.B. 699; [1968] 3 W.L.R. 841; [1968] 3 All E.R. 513, C.A. **Considered,** *Vitol S.A. v. Norelf Ltd.* [1994] 1 W.L.R. 1390

Department of Transport v. Gallacher [1993] I.C.R. 654, E.A.T. **Decision of the Employment Appeal Tribunal affirmed in part** [1994] I.C.R. 967, C.A.

Deposit Protection Board v. Dalia [1994] 1 All E.R. 539, C.A. **Decision of the Court of Appeal reversed** [1994] 2 A.C. 367, H.L.(E.). **Distinguished,** *R. v. Investors Compensation Scheme Ltd., Ex parte Weyell* [1994] Q.B. 749; [1994] 2 W.L.R. 678, D.C.

Derby & Co. Ltd. v. Weldon (Nos. 3 and 4) [1990] Ch. 65; [1989] 2 W.L.R. 276; [1989] 1 All E.R. 1002, C.A. **Distinguished,** *Gidrxslme Shipping Co. Ltd. v. Tantomar-Transportes Maritimos Lda.* [1994] 4 All E.R. 507

Devis (W.) & Sons Ltd. v. Atkins [1977] A.C. 931; [1977] 3 W.L.R. 214; [1977] I.C.R. 662; [1977] 3 All E.R. 40, H.L.(E.). **Considered,** *Soros v. Davison* [1994] I.C.R. 590, E.A.T.

Devon County Council v. S. [1992] Fam. 176; [1992] 3 W.L.R. 273; [1992] 3 All E.R. 793. **Distinguished,** *G. (A Minor) (Care Order: Threshold Conditions), In re* [1994] 3 W.L.R. 1211

Dexter v. Courtaulds Ltd. [1984] 1 W.L.R. 372; [1984] 1 All E.R. 70, C.A. **Distinguished,** *Ministry of Defence v. Cannock* [1994] I.C.R. 918, E.A.T.

Dibbins v. Dibbins [1896] 2 Ch. 348. **Distinguished,** *Presentaciones Musicales S.A. v. Secunda* [1994] 2 W.L.R. 660, C.A.

Director of Public Prosecutions v. Camplin [1978] A.C. 705; [1978] 2 W.L.R. 679; [1978] 2 All E.R. 168, H.L.(E.). **Considered,** *R. v. Morhall* [1993] 4 All E.R. 888, C.A.

Director of Public Prosecutions v. Corcoran (Terence) [1992] 1 All E.R. 912; [1992] R.T.R. 289; 97 Cr.App.R. 13, D.C. **Not followed,** *Butterworth v. Director of Public Prosecutions* [1994] R.T.R. 181, D.C. **Overruled,** *Director of Public Prosecutions v. Butterworth* [1994] 3 W.L.R. 538, H.L.(E.)

Director of Public Prosecutions v. Lamb [1941] 2 K.B. 89; [1941] 2 All E.R. 499, D.C. **Doubted,** *In re Barretto* [1994] Q.B. 392; [1994] 2 W.L.R. 149, C.A.

Director of Public Prosecutions v. P. [1991] 2 A.C. 447, 460; [1991] 3 W.L.R. 161; [1991] 3 All E.R. 337, H.L.(E.). **Applied,** *R. v. Simpson* (1993) 99 Cr.App.R. 48, C.A. **Dictum of Lord Mackay of Clashfern considered,** *R. v. Ryder* (1993) 98 Cr.App.R. 242, C.A.

Director of Public Prosecutions v. Pearman [1992] R.T.R. 407, D.C. **Applied,** *Director of Public Prosecutions v. Crofton* [1994] R.T.R. 279, D.C.

Director of Public Prosecutions v. Smith [1961] A.C. 290; [1960] 3 W.L.R. 546; [1960] 3 All E.R. 161, H.L.(E.). **Considered,** *R. v. Chan-Fook* [1994] 1 W.L.R. 689, C.A.

Director of Public Prosecutions v. Warren [1993] A.C. 319; [1992] 3 W.L.R. 884; [1992] 4 All E.R. 865, H.L.(E.). **Applied,** *Ogburn v. Director of Public Prosecutions* [1994] 1 W.L.R. 1107, D.C. **Considered,** *Hayes v. Director of Public Prosecutions* [1994] R.T.R. 163, D.C.

Dobson v. Hastings [1992] Ch. 394; [1992] 2 W.L.R. 414; [1992] 2 All E.R. 94. **Considered,** *Milano Assicurazioni S.p.A. v. Walbrook Insurance Co. Ltd.* [1994] 1 W.L.R. 977

Donnelly v. Joyce [1974] Q.B. 454, 461-462; [1973] 3 W.L.R. 514; [1973] 3 All E.R. 475, C.A. **Dicta of Megaw L.J. disapproved,** *Hunt v. Severs* [1994] 2 A.C. 350; [1994] 2 W.L.R. 602, H.L.(E.)

Doody v. Secretary of State for the Home Department [1994] 1 A.C. 531; [1993] 3 W.L.R. 154; [1993] 3 All E.R. 92, H.L.(E.). **Applied,** *R. v. Secretary of State, Ex parte Duggan* [1994] 3 All E.R. 277, D.C.

Dresser U.K. Ltd. v. Falcongate Freight Management Ltd. [1992] Q.B. 502; [1992] 2 W.L.R. 319; [1992] 2 All E.R. 450, C.A. **Applied,** *Neste Chemicals S.A. v. D.K. Line S.A.* [1994] 3 All E.R. 180, C.A.

Drewery v. Ware-Lane [1960] 1 W.L.R. 1204; [1960] 3 All E.R. 529, C.A. **Applied,** *Allen v. Redbridge London Borough Council* [1994] 1 W.L.R. 139, D.C.

Dublin City Distillery Ltd. v. Doherty [1914] A.C. 823, H.L.(I.). **Distinguished,** *In re Goldcorp Exchange Ltd.* [1994] 3 W.L.R. 199, P.C.

Duke of Marlborough Parliamentary Estates, *In re* (1891) 8 T.L.R. 179. **Applied,** *Hambro v. Duke of Marlborough* [1994] Ch. 158; [1994] 3 W.L.R. 341

Duple Motor Bodies Ltd. v. Inland Revenue Comrs. [1961] 1 W.L.R. 739; [1961] 2 All E.R. 167; 39 T.C. 537, H.L.(E.). **Distinguished,** *Gallagher v. Jones* [1994] Ch. 107; [1994] 2 W.L.R. 160, C.A.

E.E. Caledonia Ltd. v. Orbit Valve Co. Europe [1994] 1 W.L.R. 221; [1993] 4 All E.R. 165. **Decision of Hobhouse J. affirmed** [1994] 1 W.L.R. 1515, C.A.

East Hampshire District Council v. Davies [1991] 2 P.L.R. 8. **Considered,** *Runnymede Borough Council v. Harwood* (1994) 92 L.G.R. 561, C.A.

East Suffolk Rivers Catchment Board v. Kent [1941] A.C. 74; [1940] 4 All E.R. 527, H.L.(E.). **Distinguished,** *Stovin v. Wise* [1994] 1 W.L.R. 1124, C.A.

Edge v. Director of Public Prosecutions [1993] R.T.R. 146, D.C. **Followed,** *Ogburn v. Director of Public Prosecutions* [1994] 1 W.L.R. 1107, D.C.

El Ajou v. Dollar Holdings Plc. [1993] 3 All E.R. 717. **Decision of Millett J. reversed** [1994] 2 All E.R. 685, C.A.

El Sombrero Ltd., *In re* [1958] Ch. 900; [1958] 3 W.L.R. 349; [1958] 3 All E.R. 1. **Distinguished,** *Harman v. BML Group Ltd.* [1994] 1 W.L.R. 893, C.A.

Elefanten Schuh G.m.b.H. v. Jacqmain [1981] E.C.R. 1671. **Applied,** *Denby v. Hellenic Mediterranean Lines Co. Ltd.* [1994] 1 Lloyd's Rep. 320

Eley v. King & Chasemore (1989) 22 E.G. **Considered,** *Brown v. KMR Services* [1994] 4 All E.R. 385

Elliott v. Loake [1983] Crim.L.R. 36. **Explained,** *R. v. Collins* [1994] R.T.R. 216, C.A.

Ellis & Co.'s Trustee v. Dixon-Johnson [1925] A.C. 489, H.L.(E.). **Considered,** *In re Bank of Credit and Commerce International S.A. (No. 8)* [1994] 3 W.L.R. 911

Emmott v. Minister for Social Welfare (Case C-208/90) [1993] I.C.R. 8, E.C.J. **Applied,** *Ministry of Defence v. Cannock* [1994] I.C.R. 918, E.A.T.

Enderby v. Frenchay Health Authority [1991] I.C.R. 382, E.A.T. **Decision of the Employment Appeal Tribunal reversed** [1994] I.C.R. 112, E.C.J.

Enderby v. Frenchay Health Authority (Case C-127) [1994] I.C.R. 112, C.A. **Applied,** *British Coal Corpn. v. Smith* [1994] I.C.R. 810, C.A. **Distinguished,** *Bhudi v. IMI Refiners Ltd.* [1994] I.C.R. 307, E.A.T.; *Yorkshire Blood Transfusion Service v. Plaskitt* [1994] I.C.R. 74, E.A.T.

Energy Conversion Devices Incorporated's Application [1982] F.S.R. 544, H.L.(E.). **Dictum of Lord Diplock considered,** *Esslemont v. Marshall* (1994) T.C. 3410

Enfield London Borough Council v. McKeon [1986] 1 W.L.R. 1007; [1986] 2 All E.R. 730, C.A. **Considered,** *Bradford City Metropolitan Council v. McMahon* [1994] 1 W.L.R. 52, C.A.

Erlanger v. New Sombrero Phosphate Co. (1878) 3 App.Cas. 1218, 1278–1279, H.L.(E.). **Dicta of Lord Blackburn applied,** *Cheese v. Thomas* [1994] 1 W.L.R. 129, C.A.

Essex County Council v. R. (Note) [1994] 2 W.L.R. 407. **Approved,** *Oxfordshire County Council v. M.* [1994] Fam. 151; [1994] 2 W.L.R. 393, C.A.

Esslemont v. Estill (1980) 53 T.C. 663, C.A. **Applied,** *Esslemont v. Marshall* (1994) T.C. Leaflet No. 3410

Esso Petroleum Co. Ltd. v. Harper's Garage (Stourport) Ltd. [1968] A.C. 269, 297; [1967] 2 W.L.R. 871; [1967] 1 All E.R. 699, H.L.(E.). **Dicta of Lord Reid applied,** *Boddington v. Lawton* [1994] I.C.R. 478

Esso Petroleum Co. Ltd. v. Kingswood Motors (Addlestone) Ltd. [1974] Q.B. 142; [1973] 3 W.L.R. 780; [1973] 3 All E.R. 1057. **Considered,** *Law Debenture Trust Corporation v. Ural Caspian Oil Corporation Ltd.* [1994] 3 W.L.R. 1221, C.A.

Estates Gazette Ltd. v. Benjamin Restaurants Ltd. [1993] 4 All E.R. 367. **Decision of Judge Zucker Q.C. sitting as a judge of Queen's Bench Division reversed** [1994] 1 W.L.R. 1528, C.A.

Euro-Diam Ltd. v. Bathurst [1990] 1 Q.B. 1, 35–36; [1988] 2 W.L.R. 517; [1988] 2 All E.R. 23, C.A. **Disapproved,** *Tinsley v. Milligan* [1994] 1 A.C. 340; [1993] 3 W.L.R. 126, H.L.(E.). **Dicta of Kerr L.J. applied,** *Salvesen v. Simons* [1994] I.C.R. 409, E.A.T.

Evans Constructions Co. Ltd. v. Charrington & Co. Ltd. [1983] Q.B. 810; [1983] 2 W.L.R. 117; [1983] 1 All E.R. 310, C.A. **Applied,** *Leond Maritime Inc. v. M.C. Amethyst Shipping Ltd.* [1994] 2 Lloyd's Rep. 379

Evans v. London Hospital Medical College (University of London) [1981] 1 W.L.R. 184; [1981] 1 All E.R. 715. **Considered,** *Martin v. Watson* [1994] Q.B. 425; [1994] 2 W.L.R. 500, C.A.

Ewing, *Ex parte* [1991] 1 W.L.R. 388; [1991] 3 All E.R. 192, C.A. **Applied,** *Ex parte Ewing (No. 2)* [1994] 1 W.L.R. 1553, C.A.

F. (orse. A.) (A Minor) (Publication of Information), *In re* [1977] Fam. 58; [1976] 3 W.L.R. 813; [1977] 1 All E.R. 114, C.A. **Considered,** *R. v. Central Independent Television Plc.* [1994] Fam. 192; [1994] 3 W.L.R. 20, C.A.

Famous Army Stores v. Meehan [1993] 1 E.G.L.R. 73. **Disapproved,** *Connaught Restaurants Ltd. v. Indoor Leisure Ltd.* [1994] 1 W.L.R. 501, C.A.

Farnham (a Lunatic), *In re* [1896] 2 Ch. 799, C.A. **Distinguished,** *In re Dent (A Bankrupt)* [1994] 1 W.L.R. 956, D.C.

Feather Supplies Ltd. v. Ingham [1971] 2 Q.B. 348; [1971] 3 W.L.R. 362; [1971] 3 All E.R. 556, C.A. **Dictum of Lord Denning M.R. distinguished,** *Barnett v. O'Sullivan* [1994] 1 W.L.R. 1667, C.A.

Fibrosa Spolka Akcyjna v. Fairbairn Lawson Combe Barbour Ltd. [1943] A.C. 32; [1942] 2 All E.R. 122, H.L.(E.). **Considered,** *Pan Ocean Shipping Co. Ltd. v. Creditcorp Ltd.* [1994] 1 W.L.R. 161, H.L.(E.)

Filiatra Legacy, The (Note) [1994] 1 Lloyd's Rep. 505. **Considered,** *Continental Bank N.A. v. Aeakos Compania Naviera S.A.* [1994] 1 Lloyd's Rep. 505, C.A.

Fitzjohn v. Mackinder (1861) 9 C.B.(N.S.) 505. **Considered,** *Martin v. Watson* [1994] Q.B. 425; [1994] 2 W.L.R. 500, C.A.

Fitzpatrick v. Inland Revenue Comrs. (No. 2) [1992] S.T.C. 406. **Decision of the Court of Session affirmed** [1994] 1 W.L.R. 306, H.L.(E. & Sc.)

Fraser v. B. N. Furman (Productions) Ltd. (Miller Smith & Partners, Third Party) [1967] 1 W.L.R. 898; [1967] 3 All E.R. 57; [1967] 2 Lloyd's Rep. 1, C.A. **Applied,** *Devco Holder Ltd. v. Legal & General Assurance Society Ltd.* [1994] 2 Lloyd's Rep. 559, C.A.; *Sofi v. Prudential Assurance Co. Ltd.* [1993] 2 Lloyd's Rep. 559, C.A.

French Marine v. Compagnie Napolitaine d'Eclairage et de Chauffage par le Gaz [1921] 2 A.C. 494, H.L.(E.). **Considered,** *Pan Ocean Shipping Co. Ltd. v. Creditcorp Ltd.* [1994] 1 W.L.R. 161, H.L.(E.)

Furnell v. Whangarei High Schools Board [1973] A.C. 660, 679; [1973] 2 W.L.R. 92; [1973] 1 All E.R. 400, P.C. **Dicta of Lord Morris of Borth-y-Gest applied,** *Rees v. Crane* [1994] 2 A.C. 173; [1994] 2 W.L.R. 476, P.C.

Gallagher v. Jones [1994] 2 W.L.R. 160, C.A. **Considered,** *Johnston v. Britannia Aiways Ltd.* (1994) T.C. Leaflet No. 3406

Gammon (Hong Kong) v. Attorney-General of Hong Kong [1985] A.C. 1; [1984] 3 W.L.R. 437; [1984] 2 All E.R. 503; 80 Cr.App.R, 194, P.C. **Dictum of Lord Scarman applied,** *R. v. Brockley* (1993) 99 Cr.App.R. 385, C.A.

Gardner v. Director of Public Prosecutions [1989] R.T.R. 384, D.C. **Disapproved,** *Director of Public Prosecutions v. Butterworth* [1994] 3 W.L.R. 538, H.L.(E.)

Gautret v. Egerton (1867) L.R. 2 C.P. 371. **Approved,** *McGeown v. Northern Ireland Housing Executive* [1994] 3 W.L.R. 187, H.L.(N.I.)

General Rolling Stock Co., *In re;* Chapman's Case (1866) L.R. 1 Eq. 346. **Applied,** *Commercial Finance Co. Ltd. v. Ramsingh-Mahabir* [1994] 1 W.L.R. 1297, P.C.

Gilchrist Watt and Sanderson Pty. Ltd. v. York Products Pty. Ltd. [1970] 1 W.L.R. 1262; [1970] 3 All E.R. 825. **Applied,** *The Pioneer Container* [1994] 2 A.C. 324; [1994] 3 W.L.R. 1, P.C.

Glendarroch, The [1894] P. 226. **Applied,** *Glebe Island Terminals Pty. Ltd. v. Continental Seagram Pty. Ltd.* [1994] 1 Lloyd's Rep. 213

Gmurzynska-Bscher v. Oberfinanzdirektion Köln (Case C-231/89) [1990] E.C.R. 4003, E.C.J. **Applied,** *Barclays Bank Plc. v. Glasgow City Council* [1994] Q.B. 404; [1994] 2 W.L.R. 466, C.A.

Gojkovic v. Gojkovic [1992] Fam. 40, 57; [1991] 3 W.L.R. 621; [1992] 1 All E.R. 267, C.A. **Dictum of Butler-Sloss L.J. distinguished,** *Sutton London Borough Council v. Davis (No. 2)* [1994] 1 W.L.R. 1317

Goldcorp Exchange Ltd., *In re* [1993] 1 N.Z.L.R. 257. **Decision of the Court of Appeal of New Zealand** *sub nom. Liggett v. Kensington* **reversed** [1994] 3 W.L.R. 199, P.C.

Goldcorp Exchange Ltd., *In re* [1994] 3 W.L.R. 199, P.C. **Applied,** *Bishopsgate Investment Management Ltd. v. Homan* [1994] 3 W.L.R. 1270, C.A.

Good v. Epping Forest District Council [1992] 3 P.L.R. 103. **Decision of Sir Donald Nicholls V.-C. affirmed** [1994] 1 W.L.R. 376, C.A.

Goodman v. Mayor of Saltash (1882) 7 App.Cas. 633, H.L.(E.). **Applied,** *Peggs v. Lamb* [1994] Ch. 172; [1994] 2 W.L.R. 1

Gorog v. Kiss (1977) 78 D.L.R. (3d) 690. **Applied,** *Tinsley v. Milligan* [1994] 1 A.C. 340; [1993] 3 W.L.R. 126; [1993] 3 All E.R. 65, H.L.(E.)

Gough v. Wood & Co. [1894] 1 Q.B. 713, C.A. **Considered,** *Melluish v. B.M.I. (No. 3) Ltd.* [1994] 2 W.L.R. 795. **Distinguished,** *Melluish v. B.M.I. (No. 3) Ltd.* [1994] 3 W.L.R. 1032, C.A.

Goulandris Brothers Ltd. v. Goldman and Sons Ltd. [1958] 1 Q.B. 74; [1957] 3 W.L.R. 596; [1957] 3 All E.R. 100. **Applied,** *Cargill International S.A. v. C.P.N. Tankers (Bermuda) Ltd.* [1993] 2 Lloyd's Rep. 435, C.A.

Government of Australia v. Harrod [1975] 1 W.L.R. 745, 757; [1975] 2 All E.R. 1, H.L.(E.). **Dictum of Viscount Dilhorne not applied,** *In re Schmidt* [1994] 3 W.L.R. 228, D.C. and H.L.(E.)

Grant v. Australian Knitting Mills Ltd. [1936] A.C. 85, P.C. **Distinguished,** *Marc Rich & Co. A.G. v. Bishop Rock Marine Co. Ltd.* [1994] 1 W.L.R. 1071, C.A.

Grant v. Director of Public Prosecutions [1982] A.C. 190; [1981] 3 W.L.R. 352, P.C. **Applied,** *Brooks v. Director of Public Prosecutions* [1994] 1 A.C. 568; [1994] 2 W.L.R. 381, P.C.

Graysim Holdings Ltd. v. P. & O. Property Holdings Ltd. [1993] 1 E.G.L.R. 96. **Decision of Mr. Anthony Grabiner Q.C. sitting as a deputy judge of the Chancery Division reversed** [1994] 1 W.L.R. 992, C.A.

Greater London Council v. Secretary of State for the Environment [1985] J.P.L. 868. **Distinguished,** *R. v. Cornwall County Council, Ex parte Huntington* [1994] 1 All E.R. 694, C.A.

Grice v. Dudley Corpn. [1958] Ch. 329; [1957] 3 W.L.R. 314; [1957] 2 All E.R. 673. **Distinguished,** *Mid Glamorgan County Council v. Ogwr Borough Council* (1993) 92 L.G.R. 244, C.A.

Grist v. Bailey [1967] Ch. 532; [1966] 3 W.L.R. 618; [1966] 2 All E.R. 875. **Doubted,** *William Sindall Plc. v. Cambridgeshire County Council* [1994] 1 W.L.R. 1016, C.A.

Grover & Grover Ltd. v. Mathews [1910] 2 K.B. 401. **Considered,** *National Oilwell (U.K.) Ltd. v. Davy Offshore Ltd.* [1993] 2 Lloyd's Rep. 582

Groveside Properties Ltd. v. Westminster Medical School (1983) 47 P. & C.R. 507, C.A. **Applied,** *Graysim Holdings Ltd. v. P. & O. Property Holdings Ltd.* [1994] 1 W.L.R. 992, C.A.

Gunsbourg, *In re* [1920] 2 K.B. 426, C.A. **Distinguished,** *In re Dent (A Bankrupt)* [1994] 1 W.L.R. 956, D.C.

Gunton v. Richmond-upon-Thames London Borough Council [1981] Ch. 448; [1980] 3 W.L.R. 714; [1980] I.C.R. 755; [1980] 3 All E.R., C.A. **Applied,** *Boyo v. Lambeth London Borough Council* [1994] I.C.R. 727, C.A.

H. (A Minor) (Adoption: Non-patrial), *In re* [1982] Fam. 121, 133; [1982] 3 W.L.R. 501; [1982] 3 All E.R. 84. **Dicta of Hollings J. applied,** *In re K. (A Minor) (Adoption Order: Nationality)* [1994] 3 W.L.R. 572, C.A.

H. (Minors) (Abduction: Custody Rights), *In re* [1991] 2 A.C. 476; [1991] 3 W.L.R. 68; [1991] 3 All E.R. 230, H.L.(E.). **Applied,** *In re S. (Minors) (Abduction: Wrongful Retention)* [1994] Fam. 70; [1994] 2 W.L.R. 228

Habermann-Beltermann v. Arbeiterwohlfahrt, Bezirksverband Ndb./Opf. eV (Case C-421/92) [1994] 2 C.M.L.R. 681, E.C.J. **Applied,** *Webb v. Emo Air Cargo (U.K.) Ltd. (Case C-32/93)* [1994] Q.B. 718; [1994] 3 W.L.R. 941; I.C.R. 770, E.C.J.

Hadmor Productions Ltd. v. Hamilton [1983] 1 A.C. 191, 220–221; [1982] 2 W.L.R. 322; [1982] 1 All E.R. 1042, H.L.(E.). **Dictum of Lord Diplock applied,** *R. v. Inspectorate of Pollution, Ex parte Greenpeace Ltd.* [1994] 1 W.L.R. 570, C.A.

Hagee (London) Ltd. v. A.B. Eriksen and Larson [1976] Q.B. 209; [1975] 3 W.L.R. 272; [1975] 3 All E.R. 234, C.A. **Considered,** *Co-operative Insurance Society Ltd. v. Hastings Borough Council* (1993) 91 L.G.R. 608

Haines v. Herbert [1963] 1 W.L.R. 1401; [1963] 3 All E.R. 715, C.A. **Applied,** *Barnett v. O'Sullivan* [1994] 1 W.L.R. 1667, C.A.

Halford v. Sharples [1992] 1 W.L.R. 736; [1992] 3 All E.R. 624, C.A. **Applied,** *R. v. Chief Constable of West Midlands, Ex parte Wiley* [1994] 1 W.L.R. 114, C.A. **Overruled,** *R. v. Chief Constable of the West Midlands, Ex parte Wiley* [1994] 3 W.L.R. 433, H.L.(E.)

Hall v. Lorimer [1992] 1 W.L.R. 939. **Decision of Mummery J. affirmed** [1994] 1 W.L.R 209; [1994] I.C.R. 218, C.A.

Hallwood Estates v. Flack (1950) 66(2) T.L.R. 368, C.A. **Dictum of Sir Raymond Evershed M.R. applied,** *Barnett v. O'Sullivan* [1994] 1 W.L.R. 1667, C.A.

Halsall v. Brizell [1957] Ch. 169; [1957] 2 W.L.R. 123; [1957] 1 All E.R. 371. **Considered,** *Rhone v. Stephens* [1994] 2 A.C. 310; [1994] 2 W.L.R. 429, H.L.(E.)

Hampshire County Council v. Milburn [1991] 1 A.C. 325; [1990] 2 W.L.R. 1240; [1990] 2 All E.R. 257; 88 L.G.R. 745, H.L.(E.). **Considered,** *Mid Glamorgan County Council v. Ogwr Borough Council* (1993) 92 L.G.R. 244, C.A.

Handels-og Kontorfunktionærernes Forbund i Danmark v. Dansk Arbejdsgiverforening (Case C-179/88) [1992] I.C.R. 332; [1990] E.C.R. I-3979, E.C.J. **Applied,** *Webb v. Emo Air Cargo (U.K.) Ltd. (Case C-32/93)* [1994] Q.B. 718; [1994] 3 W.L.R. 941; [1994] I.C.R. 770, E.C.J.

Hargreaves (Joseph) Ltd., *In re* [1900] 1 Ch. 347, C.A. **Applied,** *Lonrho Plc. v. Fayed (No. 4)* [1994] Q.B. 775; [1994] 2 W.L.R. 209, C.A.

Harmony Shipping Co. S.A. v. Saudi Europe Line Ltd. [1979] 1 W.L.R. 1380; [1979] 3 All E.R. 177, C.A. **Distinguished,** *R. v. R.* [1994] 1 W.L.R. 758, C.A.

Harris v. Beauchamp Brothers [1893] 2 Q.B. 534, C.A. **Distinguished,** *Mephistopheles Debt Collection Service v. Lotay* [1994] 1 W.L.R. 1064, C.A.

Harrison Bowden Ltd. v. Bowden [1994] I.C.R. 186, E.A.T. **Not followed,** *Ibex Trading Co. Ltd. v. Walton* [1994] I.C.R. 907, E.A.T.

Hart, *In re*; *Ex parte* Green [1912] 3 K.B. 6, C.A. **Applied,** *In re Dent (A Bankrupt)* [1994] 1 W.L.R. 956, D.C.

Harvey v. Secretary of State for Wales (1989) 88 L.G.R. 253, C.A. **Distinguished,** *Newbury District Council* (1993) 92 L.G.R. 195, C.A.

Haw Tua Tua v. Public Prosecutor [1982] A.C. 136; [1981] 3 W.L.R. 395; [1981] 3 All E.R. 14, P.C. **Dictum of Lord Diplock applied,** *Murray v. Director of Public Prosecutions* (1992) 99 Cr.App.R. 396, H.L.(E.)

Haydon v. Kent County Council [1978] Q.B. 343; [1978] 2 W.L.R. 485; [1978] 2 All E.R. 97, C.A. **Considered,** *Stovin v. Wise* [1994] 1 W.L.R. 1124, C.A.

Hayward v. Cammell Laird Shipbuilders Ltd. (No. 2) [1988] A.C. 894, 903–904; [1988] 2 W.L.R. 1134; [1988] I.C.R. 464; [1988] 2 All E.R. 257, H.L.(E.). **Dicta of Lord Mackay of Clashfern L.C. considered,** *British Coal Corpn. v. Smith* [1994] I.C.R. 810, C.A.

Healy v. Howlett & Sons [1917] 1 K.B. 337, D.C. **Distinguished,** *In re Stapylton Fletcher Ltd.* [1994] 1 W.L.R. 1181

Heatons Steel and Iron Co. (1876) 4 Ch.D. 140. **Considered,** *National Westminster Bank Plc. v. Inland Revenue Comrs.* (1993) T.C. Leaflet No. 3376

Heatons Transport (St. Helens) Ltd. v. Transport and General Workers Union [1973] A.C. 15; [1972] 3 W.L.R. 73; [1972] I.C.R. 308; [1972] 2 All E.R. 1214, H.L.(E.). **Considered,** *Z Bank v. DI* [1994] 1 Lloyd's Rep. 656. **Distinguished,** *In re Supply of Ready Mixed Concrete (No. 2)* [1994] 3 W.L.R. 1249, H.L.(E.)

Hedley Byrne & Co. Ltd. v. Heller & Partners Ltd. [1964] A.C. 465; [1963] 3 W.L.R. 101; [1963] 2 All E.R. 575, H.L.(E). **Applied,** *Henderson v. Merrett Syndicates Ltd.* [1994] 3 W.L.R. 761, H.L.(E.); *Spring v. Guardian Assurance Plc.* [1994] 3 W.L.R. 354; [1994] I.C.R. 596. **Distinguished,** *Hemmens v. Wilson Browne* [1994] 2 W.L.R. 323, H.L.(E.)

Hehir v. Comr. of Police of the Metropolis [1982] 1 W.L.R. 715; [1982] 2 All E.R. 335, C.A. **Overruled,** *R. v. Chief Constable of the West Midlands, Ex parte Wiley* [1994] 3 W.L.R. 433, H.L.(E.)

Heilbronner, decd., *In re*; Nathan v. Kenny [1953] 1 W.L.R. 1254; [1953] 2 All E.R. 1016. **Applied,** *In re Dorman, decd.* [1994] 1 W.L.R. 282

Herbert v. Byrne [1964] 1 W.L.R. 519; [1964] 1 All E.R. 882, C.A. **Dicta of Russell L.J. applied,** *Barnett v. O'Sullivan* [1994] 1 W.L.R. 1667, C.A.

Heyman v. Darwins Ltd. [1942] A.C. 356, 361; [1942] 1 All E.R. 337, H.L.(E.). **Dictum of Viscount Simon L.C. applied,** *Vitol S.A. v. Norelf Ltd.* [1994] 1 W.L.R. 1390

Hicks v. Hicks (1802) 3 East 16. **Applied,** *Westdeutsche Landesbank Girozentrale v. Islington London Borough Council* [1994] 1 W.L.R. 938, C.A.

Hill v. Chief Constable of West Yorkshire [1989] A.C. 53; [1988] 2 W.L.R. 1049; [1988] 2 All E.R. 238, H.L.(E.). **Considered,** *M. (A Minor) v. Newham London Borough Council* [1994] 2 W.L.R. 554, C.A.

Hill v. East and West India Dock Co. (1884) 9 App.Cas. 448, H.L.(E.). **Applied,** *Hindcastle Ltd. v. Barbara Attenborough Associates Ltd.* [1994] 3 W.L.R. 1100, C.A.

Hispanica de Petroleos S.A. v. Vencedora Oceanica Navegacion S.A. [1986] 1 Lloyd's Rep. 211, Leggatt J. and C.A. **Applied,** *Fort Sterling Ltd. v. South Atlantic Cargo Shipping N.V.* [1994] 1 Lloyd's Rep. 559

Hobson v. Gorringe [1897] 1 Ch. 182, C.A. **Applied,** *Melluish v. B.M.I. (No. 3) Ltd.* [1994] 3 W.L.R. 1032, C.A. **Considered,** *Melluish v. B.M.I. (No. 3) Ltd.* [1994] 2 W.L.R. 795

Holbrook v. Sharpey (1812) 19 Ves. 131. **Applied,** *Westdeutsche Landesbank Girozentrale v. Islington London Borough Council* [1994] 1 W.L.R. 938, C.A.

Holroyd v. Marshall (1862) 10 H.L.Cas. 191, H.L.(E.). **Distinguished,** *In re Goldcorp Exchange Ltd.* [1994] 3 W.L.R. 199, P.C.

Hoover Ltd. v. Forde [1980] I.C.R. 239, E.A.T. **Not followed,** *Lock v. Connell Estate Agents* [1994] I.C.R. 983, E.A.T.

Hopkins v. Norcros Plc. [1993] I.C.R. 338. **Decision of Mr. David Latham Q.C. sitting as a deputy judge of the Queen's Bench Division affirmed** [1994] I.C.R. 11, C.A.

Horner, decd., *In re* [1965] V.R. 177. **Distinguished,** *Corbett v. Newey* [1994] Ch. 388; [1994] 3 W.L.R. 548

Howard v. Bodington (1877) 2 P.D. 203. **Applied,** *Wang v. Comr. of Inland Revenue* [1994] 1 W.L.R. 1286, P.C.

Howard v. Shirlstar Container Transport Ltd. [1990] 1 W.L.R. 1292; [1990] 3 All E.R. 366, C.A. **Disapproved,** *Tinsley v. Milligan* [1994] 1 A.C. 340; [1993] 3 W.L.R. 126; [1993] 3 All E.R. 65, H.L.(E.)

Howe v. David Brown Tractors (Retail) Ltd. [1991] 4 All E.R. 30, C.A. **Considered,** *Welsh Development Agency v. Redpath Dorman Long Ltd.* [1994] 1 W.L.R. 1409, C.A.

Hughes v. Department of Health and Social Security [1984] I.C.R. 557, 570, C.A. **Dictum of Slade L.J. considered,** *Barclays Bank Plc. v. O'Brien* [1994] I.C.R. 865, C.A.

Hughes v. Greenwich London Borough Council (1992) 24 H.L.R. 605. **Decision of the Court of Appeal affirmed** [1994] I.C.R. 48

Hunt v. R.M. Douglas (Roofing) Ltd. [1990] 1 A.C. 398; [1988] 3 W.L.R. 975; [1988] 3 All E.R. 823, H.L.(E.). **Applied,** *Kuwait Airways Corpn. v. Iraqi Airways Co. (No. 2)* [1994] 1 W.L.R. 985, C.A.

Hunt v. Severs [1993] Q.B. 815; [1993] 3 W.L.R. 558; [1993] 4 All E.R. 180, C.A. **Decision of the Court of Appeal reversed** [1994] 2 A.C. 350; [1994] 2 W.L.R. 602, H.L.(E.)

Hunter v. Moss [1993] 1 W.L.R. 934. **Decision of Mr. Colin Rimer Q.C. sitting as deputy judge in the Chancery Division affirmed** [1994] 1 W.L.R. 452, C.A.

Imperial Group Pension Trust Ltd. v. Imperial Tobacco Ltd. [1991] 1 W.L.R. 589; [1991] I.C.R. 524; [1991] 2 All E.R. 597. **Considered,** *British Coal Staff Super Annuation Scheme Trustees Ltd.* [1994] I.C.R. 537

Imperial Rubber Co., *In re* (1874) 9 Ch.App. 554. **Considered,** *National Westminster Bank Plc. v. Inland Revenue Comrs.* (1993) T.C. Leaflet No. 3376

Indian Oil Corpn. Ltd. v. Greenstone Shipping S.A. (Panama) [1988] Q.B. 345; [1987] 3 W.L.R. 869; [1987] 3 All E.R. 893. **Applied,** *In re Stapylton Fletcher Ltd.* [1994] 1 W.L.R. 1181

Inland Revenue Comrs. v. Eurocopy Plc. [1991] S.T.C. 707. **Considered,** *Inland Revenue Comrs. v. Reed International Plc.* (1994) T.C. Leaflet No. 3394

Inland Revenue Comrs. v. Hoogstraten [1985] Q.B. 1077; [1984] 3 W.L.R. 933; [1984] 3 All E.R. 25, C.A. **Distinguished,** *Nicholls v. Kinsey* [1994] Q.B. 600; [1994] 2 W.L.R. 622, C.A.

Ionides v. Pender (1874) L.R. 9 Q.B. 531. **Considered,** *Pan Atlantic Insurance Co. Ltd. v. Pine Top Insurance Co. Ltd.* [1994] 3 W.L.R. 677, H.L.(E.)

Isaacs v. Robertson [1985] A.C. 97; [1984] 3 W.L.R. 705; [1984] 3 All E.R. 140, P.C. **Distinguished,** *Nicholls v. Kinsey* [1994] Q.B. 600; [1994] 2 W.L.R. 622, C.A.

Istel (A. T. & T.) Ltd. v. Tully [1993] A.C. 45; [1992] 3 W.L.R. 344; [1992] 3 All E.R. 523, H.L.(E.). **Considered,** *IBM United Kingdom Ltd. v. Prima Data International Ltd.* [1994] 1 W.L.R. 719

J. (A Minor) (Abduction: Wrongful Retention), *In re* [1990] 2 A.C. 562, 572; [1990] 3 W.L.R. 492; [1990] 2 All E.R. 449, C.A. **Dictum of Lord Donaldson of Lymington M.R. applied,** *In re S. (Minors) (Abduction: Wrongful Retention)* [1994] Fam. 70; [1994] 2 W.L.R. 228

James Roscoe (Bolton) Ltd. v. Winder [1915] 1 Ch. 62. **Applied,** *Bishopsgate Investment Management Ltd. v. Homan* [1994] 3 W.L.R. 1270, C.A.; *In re Goldcorp Exchange Ltd.* [1994] 3 W.L.R. 199, P.C.

Jeffries v. Stevens (1982) 56 T.C. 134. **Considered,** *Zielinski v. Pickering* (1993) T.C. Leaflet No. 3391, C.A.

Jobling v. Associated Dairies Ltd. [1982] A.C. 794; [1981] 3 W.L.R. 155; [1981] 2 All E.R. 752, H.L.(E.). **Applied,** *Beoco Ltd. v. Alfa Laval Co. Ltd.* [1994] 3 W.L.R. 1179, C.A.

Johnson Matthey & Co. Ltd. v. Constantine Terminals Ltd. [1976] 2 Lloyd's Rep. 215. **Overruled,** *The Pioneer Container* [1994] 2 A.C. 324; [1994] 3 W.L.R. 1, P.C.

Jones v. Department of Employment [1989] Q.B. 1; [1988] 2 W.L.R. 493; [1988] 1 All E.R. 725, C.A. **Considered,** *E. (A Minor) Dorset County Council* [1994] 3 W.L.R. 853, C.A.

K/S A/S Bani v. Korea Shipbuilding and Engineering Corpn. [1987] 2 Lloyd's Rep. 445, C.A. **Applied,** *S.A. Coppée Lavalin N.V. v. Ken-Ren Chemicals and Fertilizers Ltd.* [1994] 2 W.L.R. 631, H.L.(E.)

Kalfelis v. Bankhaus Schröder, Münchmeyer, Hengst and Co. (Case 189/87) [1988] E.C.R. 5565, E.C.J. **Applied,** *Barclays Bank Plc. v. Glasgow City Council* [1994] Q.B. 404; [1994] 2 W.L.R. 466, C.A.

Katzenstein Adler Industries (1975) Ltd. v. Borchard Lines Ltd. [1988] 2 Lloyd's Rep. 274. **Considered,** *Leond Maritime Inc. v. M.C. Amethyst Shipping Ltd.* [1994] 2 Lloyd's Rep. 379

Kayford Ltd., *In re* [1975] 1 W.L.R. 279; [1975] 1 All E.R. 604. **Distinguished,** *In re Stapylton Fletcher Ltd.* [1994] 1 W.L.R. 1181

Kennett v. Brown [1988] 1 W.L.R. 582; [1988] 2 All E.R. 600, C.A. **Overruled,** *Welsh Development Agency v. Redpath Dorman Long Ltd.* [1994] 1 W.L.R. 1409, C.A.

Ketteman v. Hansel Properties Ltd. [1987] A.C. 189; [1987] 2 W.L.R. 312; [1987] 1 All E.R. 38, H.L.(E.). **Followed,** *Bank of America National Trust and Savings Association v. Chrismas* [1994] 1 All E.R. 401

King, decd., *In re* [1963] Ch. 459, 485; [1963] 2 W.L.R. 629; [1963] 1 All E.R. 781, C.A. **Dicta of Lord Denning M.R. disapproved,** *Siu Yin Kwan v. Eastern Insurance Co. Ltd.* [1994] 2 A.C. 200; [1994] 2 W.L.R. 370, P.C.

King v. Commercial Bank of Australia (1921) 29 C.L.R. 141. **Applied,** *In re A Debtor (No. 340 of 1992)* [1994] 3 All E.R. 269

King v. Phillips [1953] 1 Q.B. 429; [1953] 2 W.L.R. 526; [1953] 1 All E.R. 617, C.A. **Considered,** *Page v. Smith* [1994] R.T.R. 293, C.A.

King v. Thomas McKenna Ltd. [1991] 2 Q.B. 480; [1991] 2 W.L.R. 1234; [1991] 1 All E.R. 653, C.A. **Considered,** *Cohen v. Baram* [1994] 2 Lloyd's Rep. 138, C.A.

Kitchen v. Royal Air Force Association [1958] 1 W.L.R. 563; [1958] 3 All E.R. 241, C.A. **Considered,** *Sheldon v. R. H. M. Outhwaite (Underwriting Agencies) Ltd.* [1994] 1 W.L.R. 754; [1994] 3 W.L.R. 999, C.A.

Kloeckner & Co. A.G. v. Gatoil Overseas Inc. [1990] 1 Lloyd's Rep. 177. **Applied,** *Denby v Hellenic Mediterranean Lines Co. Ltd.* [1994] 1 Lloyd's Rep. 320

Knights v. Wiffen (1870) L.R. 5 Q.B. 660. **Distinguished,** *In re Goldcorp Exchange Ltd.* [1994] 3 W.L.R. 199, P.C.

Knowles v. Liverpool City Council [1993] I.C.R. 21, C.A. **Decision of the Court of Appeal affirmed** [1994] I.C.R. 243, H.L.(E.)

Kowalska v. Freie und Hansestadt Hamburg (Case C-33/89) [1992] I.C.R. 29; [1990] E.C.R. I-2591, E.C.J. **Applied,** *Mediguard Services Ltd. v. Thame* [1994] I.C.R. 751, E.A.T.

Kumar v. Dunning [1989] Q.B. 193; [1987] 3 W.L.R. 1167; [1987] 2 All E.R. 801, C.A. **Distinguished,** *Caerns Motor Services Ltd. v. Texaco Ltd.* [1994] 1 W.L.R. 1249

Kurz v. Stella Musical Veranstaltungs G.m.b.H. [1992] Ch. 196; [1991] 3 W.L.R. 1046; [1992] 1 All E.R. 630. **Applied,** *Gamlestaden Plc. v. Casa de Suecia S.A.* [1994] 1 Lloyd's Rep. 433

Kwaku Mensah v. The King [1946] A.C. 83, P.C. **Considered,** *Vasquez v. The Queen* [1994] 1 W.L.R. 1304, P.C.

Laundon v. Hartlepool Borough Council [1979] Q.B. 252; [1978] 2 W.L.R. 732; [1978] 2 All E.R. 307, C.A. **Distinguished,** *Barnett v. O'Sullivan* [1994] 1 W.L.R. 1667, C.A.

Laurence v. Lexcourt Holdings Ltd. [1978] 1 W.L.R. 1128; [1978] 2 All E.R. 810. **Doubted,** *William Sindall Plc. v. Cambridgeshire County Council* [1994] 1 W.L.R. 1016, C.A.

Law Debenture Trust Corpn. v. Ural Caspian Oil Corpn. Ltd. [1993] 1 W.L.R. 138; [1993] 2 All E.R. 355. **Decision of Hoffmann L.J. reversed** [1994] 3 W.L.R. 1221, C.A.

Lee Ting Sang v. Chung Chi-Keung [1990] 2 A.C. 374; [1990] 2 W.L.R. 1173; [1990] I.C.R. 409, P.C. **Considered,** *Hall v. Lorimer* [1994] 1 W.L.R. 209; [1994] I.C.R. 218, C.A.

Lee-Verhulst (Investments) Ltd. v. Harwood Trust [1973] Q.B. 204; [1972] 3 W.L.R. 772; [1972] 3 All E.R. 619, C.A. **Applied,** *Graysim Holdings Ltd. v. P. & O. Property Holdings Ltd.* [1994] 1 W.L.R. 992, C.A.

Leicester Wholesale Fruit Market Ltd. v. Grundy [1990] 1 W.L.R. 107; [1990] 1 All E.R. 442, C.A. **Explained,** *Welsh Development Agency v. Redpath Dorman Long Ltd.* [1994] 1 W.L.R. 1409, C.A.

Lenlyn Ltd. v. Secretary of State for the Environment (1985) 50 P. & C.R. 129. **Distinguished,** *R. v. Cornwall County Council, Ex parte Huntington* [1994] 1 All E.R. 694, C.A.

Leverton v. Clwyd County Council [1989] A.C. 706,716; [1989] 2 W.L.R. 47; [1989] I.C.R. 33; [1989] 1 All E.R. 78, C.A. and H.L.(E.). **Dicta of May L.J. considered,** *British Coal Corpn. v. Smith* [1994] I.C.R. 810, C.A.

Lewis v. Chief Constable of South Wales Constabulary [1991] 1 All E.R. 206, D.C. **Applied,** *Dawes v. Director of Public Prosecutions* [1994] R.T.R. 209, D.C.

Lewis v. Heffer [1978] 1 W.L.R. 1061; [1978] 3 All E.R. 354, C.A. **Distinguished,** *Rees v. Crane* [1994] 2 A.C. 173; [1994] 2 W.L.R. 476, P.C.

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Lipkin Gorman v. Karpnale Ltd. [1989] 1 W.L.R. 1340; [1992] 4 All E.R. 409, C.A. **Applied,** *Beoco Ltd. v. Alfa Laval Co. Ltd.* [1994] 3 W.L.R. 1179, C.A.

Lipkin Gorman v. Karpnale Ltd. [1991] 2 A.C. 548, 564, 572; [1991] 3 W.L.R. 10; [1992] 4 All E.R. 512, H.L.(E.). **Dicta of Lord Templeman and Lord Goff of Chieveley applied,** *Westdeutsche Landesbank Girozentrale v. Islington London Borough Council* [1994] 1 W.L.R. 938, C.A.

Lister v. Smith (1863) 3 Sw. & T. 282. **Applied,** *Corbett v. Newey* [1994] Ch. 388; [1994] 3 W.L.R. 548

Litster v. Forth Dry Dock & Engineering Co. Ltd. [1990] 1 A.C. 546; [1989] 2 W.L.R. 634; [1989] I.C.R. 341; [1989] 1 All E.R. 1134, H.L.(Sc.). **Applied,** *Harrison Bowden Ltd. v. Bowden* [1994] I.C.R. 186, E.A.T. **Considered,** *Ibex Trading Co. Ltd. v. Walton* [1994] I.C.R. 907, E.A.T.

L'Office Cherifien des Phosphates v. Yamashita-Shinnihon Steamship Co. Ltd. [1994] 1 A.C. 486; [1993] 3 W.L.R. 266; [1993] 3 All E.R. 686, C.A. **Considered,** *In re Barretto* [1994] Q.B. 392; [1994] 2 W.L.R. 149, C.A. **Decision of the Court of Appeal reversed** [1994] 2 W.L.R. 39, H.L.(E.)

London & Blenheim Estates Ltd. v. Ladbroke Retail Parks Ltd. [1992] 1 W.L.R. 1278; [1993] 1 All E.R. 307. **Decision of Judge Paul Baker Q.C. sitting as a judge of the Chancery Division affirmed** [1994] 1 W.L.R. 31, C.A.

London & Clydeside Estates Ltd. v. Aberdeen District Council [1980] 1 W.L.R. 182, 190; [1979] 3 All E.R. 876, H.L.(Sc.). **Dictum of Lord Hailsham of St. Marylebone L.C. applied,** *Wang v. Comr. of Inland Revenue* [1994] 1 W.L.R. 1286, P.C.

London Transport Executive v. Clarke [1980] I.C.R. 532, 540, E.A.T. **Dicta of May J. considered,** *Cowley v. Manson Timber Ltd.* [1994] I.C.R. 252, E.A.T.

London Wine Co. (Shippers) Ltd., *In re* [1986] P.C.C. 121. **Applied,** *In re Goldcorp Exchange Ltd.* [1994] 3 W.L.R. 199, P.C.; *In re Stapylton Fletcher Ltd.* [1994] 1 W.L.R. 1181. **Distinguished,** *Hunter v. Moss* [1994] 1 W.L.R. 452, C.A.

Lort-Williams v. Lort-Williams [1951] P. 395; [1951] 2 All E.R. 241, C.A. **Applied,** *Brooks v. Brooks* [1994] 3 W.L.R. 1292, C.A.

Lumley v. Gye (1853) 2 E. & B. 216. **Considered,** *Law Debenture Trust Corporation v. Ural Caspian Oil Corporation Ltd.* [1994] 3 W.L.R. 1221, C.A.

Luxor (Eastbourne) Ltd. v. Cooper [1941] A.C. 108; [1941] 1 All E.R. 33, H.L.(E.). **Applied,** *Hughes v. Greenwich London Borough Council* [1994] I.C.R. 48

M. (A Minor) v. Newham London Borough Council [1994] 2 W.L.R. 554, C.A. **Distinguished,** *E. (A Minor) v. Dorset County Council* [1994] 3 W.L.R. 853, C.A.

M. (A Minor) (Care Order: Threshold Conditions), *In re* [1994] Fam. 95; [1994] 2 W.L.R. 200; [1994] 1 All E.R. 424, C.A. **Applied,** *Oldham Metropolitan Borough Council v. E.* (1994) 92 L.G.R. 615, C.A. **Decision of the Court of Appeal reversed** [1994] 2 A.C. 424, H.L.(E.)

M. and N. (Minors) (Wardship: Publication of Information), *In re* [1990] Fam. 211; [1989] 3 W.L.R. 1136; [1990] 1 All E.R. 205, C.A. **Applied,** *R. v. Central Independent Television Plc.* [1994] Fam. 192; [1994] 3 W.L.R. 20, C.A.

M. v. Westminster City Council [1985] F.L.R. 325, D.C. **Distinguished,** *In re M. (A Minor) (Care Order: Threshold Conditions)* [1994] Fam. 95; [1994] 2 W.L.R. 200, C.A.

M.S. Fashions Ltd. v. Bank of Credit and Commerce International S.A. [1993] Ch. 425; [1993] 3 W.L.R. 220; [1993] 3 All E.R. 769, C.A. **Distinguished,** *In re Bank of Credit and Commerce International S.A. (No. 8)* [1994] 3 W.L.R. 911

McCoan v. General Medical Council [1964] 1 W.L.R. 1107; [1964] 3 All E.R. 143, P.C. **Applied,** *Bolton v. Law Society* [1994] 1 W.L.R. 512, C.A.

Macdonald v. Hedderwick & Sons (1901) 3 F. 674. **Considered,** *Lonrho Plc. v. Fayed (No. 4)* [1994] 2 W.L.R. 209, C.A.

Macer v. Abafast Ltd. [1990] I.C.R. 234, E.A.T. **Considered,** *A. & G. Tuck Ltd. v. Bartlett* [1994] I.C.R. 379, E.A.T.; *Justfern Ltd. v. Skaife D'Ingerthorpe* [1994] I.C.R. 286, E.A.T.

McGuinness v. Kellogg Co. of Great Britain Ltd. [1988] 1 W.L.R. 913; [1988] 2 All E.R. 902, C.A. **Not followed,** *Khan (Avrangzeb) v. Armaguard Ltd.* [1994] 1 W.L.R. 1204, C.A.

Machine Tool Industry Research Association v. Simpson [1988] I.C.R. 558, C.A. **Applied,** *Marley (U.K.) Ltd. v. Anderson* [1994] I.C.R. 295, E.A.T.

Maciej Rataj, The [1992] 2 Lloyd's Rep. 552, C.A. **Considered,** *Republic of India v. India Steamship Co. Ltd. (No. 2)* [1994] 2 Lloyd's Rep. 331

Mac-Jordan Construction Ltd. v. Brookmount Erostin Ltd. [1992] B.C.L.C. 350, C.A. **Applied,** *In re Goldcorp Exchange Ltd.* [1994] 3 W.L.R. 199, P.C.

MacKinlay v. Arthur Young McClelland Moores & Co. [1990] 2 A.C. 239; [1990] 3 W.L.R. 1245; [1990] 1 All E.R. 45; 62 T.C. 704, H.L.(E.). **Considered,** *Sutherland v. Gustar* [1994] Ch. 304; [1994] 3 W.L.R. 735, C.A.

McKoen v. Ellis [1987] R.T.R. 26, D.C. **Followed,** *Gunnell v. Director of Public Prosecutions* [1994] R.T.R. 151, D.C.

Maclaine Watson & Co. Ltd. v. International Tin Council (No. 2) [1987] 1 W.L.R. 1711; [1987] 3 All E.R. 886, C.A. **Considered,** *Gidrxslme Shipping Co. Ltd. v. Tantomar-Transportes Maritimos Lda.* [1994] 4 All E.R. 507; [1994] 2 Lloyd's Rep. 392

McLoughlin v. O'Brian [1982] R.T.R. 209, H.L.(E.). **Considered,** *Page v. Smith* [1994] R.T.R. 293, C.A.

Mahon v. Air New Zealand Ltd. [1984] A.C. 808; [1984] 3 W.L.R. 884; [1984] 3 All E.R. 201, P.C. **Applied,** *Laurie v. Holloway* [1994] I.C.R. 32, E.A.T.

Makanjuola v. Comr. of Police of the Metropolis [1992] 3 All E.R. 617, C.A. **Applied,** *R. v. Chief Constable of West Midlands, Ex parte Wiley* [1994] 1 W.L.R. 114, C.A. **Overruled,** *R. v. Chief Constable of the West Midlands, Ex parte Wiley* [1994] 3 W.L.R. 433, H.L.(E.)

Mallory v. Butler [1991] 1 W.L.R. 458; [1991] 2 All E.R. 889, C.A. **Considered,** *Zielinski v. Pickering* (1993) T.C. Leaflet No. 3391, C.A.

Malone v. United Kingdom (1984) 7 E.H.R.R. 14. **Distinguished,** *R. v. Khan (Sultan)* [1994] 3 W.L.R. 899, C.A.

Malz v. Rosen [1966] 1 W.L.R. 1008; [1966] 2 All E.R. 10. **Considered,** *Martin v. Watson* [1994] Q.B. 425; [1994] 2 W.L.R. 500, C.A.

Marcel v. Comr. of Police of the Metropolis [1992] Ch. 578; [1991] 2 W.L.R. 1118; [1991] 1 All E.R. 845. **Considered,** *In re Arrows Ltd. (No. 4)* [1994] 3 W.L.R. 656, H.L.(E.)

March v. E. & M.H. Stramare Pty. Ltd. (1991) 171 C.L.R. 506. **Applied,** *Galoo Ltd. v. Bright Grahame Murray* [1994] 1 W.L.R. 1360, C.A.

Marida Ltd. v. Oswal Steel [1993] 1 Lloyd's Rep. 411, C.A. **Decision of the Court of Appeal reversed** [1994] 1 W.L.R. 615, H.L.(E.)

Market Investigations Ltd. v. Minister of Social Security [1969] 2 Q.B. 173; [1969] 2 W.L.R. 1; [1968] 3 All E.R. 732. **Considered,** *Hall v. Lorimer* [1994] 1 W.L.R. 209; [1994] I.C.R. 218, C.A.

Marriage, Neave & Co., *In re*; North of England Trustee, Debenture and Assets Corpn. v. Marriage, Neave & Co. [1896] 2 Ch. 663, C.A. **Distinguished,** *In re ELS Ltd.* [1994] 3 W.L.R. 616

Marshall v. Kerr [1994] S.T.C. 360, C.A. **Decision of the Court of Appeal reversed** [1994] 3 W.L.R. 299, H.L.(E.)

Mavani v. Ralli Bros Ltd. [1973] 1 W.L.R. 468; [1973] 1 All E.R. 555. **Applied,** *S.A. Coppée Lavalin N.V. v. Ken-Ren Chemicals and Fertilizers Ltd.* [1994] 2 W.L.R. 631, H.L.(E.)

Mead v. Director of Public Prosecutions [1993] R.T.R. 151, D.C. **Followed,** *Ogburn v. Director of Public Prosecutions* [1994] 1 W.L.R. 1107, D.C.

Meade v. Haringey London Borough Council [1979] 1 W.L.R. 637; [1979] 2 All E.R. 1016, C.A. **Considered,** *E. (A Minor) v. Dorset County Council* [1994] 3 W.L.R. 853, C.A.

Meering v. Grahame-White Aviation Co. Ltd. (1920) 122 L.T. 44, C.A. **Applied,** *Davidson v. Chief Constable of North Wales* [1994] 2 All E.R. 597, C.A.

Melluish v. B.M.I. (No. 3) Ltd. [1994] 2 W.L.R. 795. **Decision of Vinelott J. reversed** [1994] 3 W.L.R. 1032, C.A.

Mettoy Pension Trustees Ltd. v. Evans [1990] 1 W.L.R. 1587. **Considered,** *British Coal Corporation v. British Coal Staff Superannuation Scheme Trustees Ltd.* [1994] I.C.R. 537

Midland Bank Trust Co. Ltd. v. Hett, Stubbs & Kemp [1979] Ch. 384; [1978] 3 W.L.R. 167; [1978] 3 All E.R. 571. **Applied,** *Henderson v. Merrett Syndicates Ltd.* [1994] 3 W.L.R. 761, H.L.(E.)

Midland Silicones Ltd. v. Scruttons Ltd. [1962] A.C. 446; [1962] 2 W.L.R. 186; [1962] 1 All E.R. 1, H.L.(E.). **Distinguished,** *Marc Rich & Co. A.G. v. Bishop Rock Marine Co. Ltd.* [1994] 1 W.L.R. 1071, C.A.

Mills v. Cooper [1967] 2 Q.B. 459; [1967] 2 W.L.R. 1343; [1967] 2 All E.R. 100, D.C. **Considered,** *R. v. South Hams District Council, Ex parte Gibb* [1994] 3 W.L.R. 1151, C.A.

Ministère Public v. van Wesemael (Joined Cases 110/78, 111/78) [1979] E.C.R. 35, 52, E.C.J. **Dicta applied,** *Customs and Excise Comrs. v. Schindler (Case C-275/92)* [1994] Q.B. 610; [1994] 3 W.L.R. 103, E.C.J.

Mitchell v. Steel [1916] 2 K.B. 610. **Applied,** *Effort Shipping Co. Ltd. v. Linden Management S.A.* [1994] 2 Lloyd's Rep. 171

Mixhurst Ltd., *In re* [1993] B.C.C. 748. **Considered,** *In re Townreach Ltd. (No. 002081 of 1994)* [1994] 3 W.L.R. 983

Modern Engineering (Bristol) Ltd. v. Gilbert-Ash (Northern) Ltd. [1974] A.C. 689; [1973] 3 W.L.R. 421; [1973] 3 All E.R. 195, H.L.(E.). **Distinguished,** *Aectra Refining and Manufacturing Inc. v. Exmar N.V.* [1994] 1 W.L.R. 1634, C.A.

Mohamed Arif (An Infant), *In re* [1968] Ch. 643; [1968] 2 W.L.R. 1290; [1968] 2 All E.R. 145, C.A. **Considered,** *In re R. (Wardship: Restrictions on Publication)* [1994] Fam. 254; [1994] 3 W.L.R. 36, C.A.

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Mondel v. Steel (1841) 8 M. & W. 858. **Distinguished,** *Aectra Refining and Manufacturing Inc. v. Exmar N.V.* [1994] 1 W.L.R. 1634

Morgan Crucible Co. Plc. v. Hill Samuel & Co. Ltd. [1991] Ch. 295; [1991] 2 W.L.R. 655; [1991] 1 All E.R. 148, C.A. **Applied,** *Galoo Ltd. v. Bright Grahame Murray* [1994] 1 W.L.R. 1360, C.A.

Morris v. C. W. Martin & Sons Ltd. [1966] 1 Q.B. 716; [1965] 3 W.L.R. 276; [1965] 2 All E.R. 725, C.A. **Applied,** *The Pioneer Container* [1994] 2 A.C. 324; [1994] 3 W.L.R. 1, P.C.

Morris v. Harris [1927] A.C. 252, H.L.(E.). **Considered,** *In re Townreach Ltd. (No. 002081 of 1994)* [1994] 3 W.L.R. 983

Motor Oil Hellas (Corinth) Refineries S.A. v. Shipping Corpn. of India (The Kanchenjunga) [1989] 1 Lloyd's Rep. 354, C.A. **Considered,** *Torvald Klaveness A/S v. Arni Maritime Corpn.* [1994] 1 W.L.R. 1465, H.L.(E.)

Muir Group Housing Ltd. v. Thornley (1992) 91 L.G.R. 1, C.A. **Considered,** *Bradford City Metropolitan Council v. McMahon* [1994] 1 W.L.R. 52, C.A.

Murphy v. Brentwood District Council [1991] 1 A.C. 398; [1990] 3 W.L.R. 414; [1990] 2 All E.R. 908, H.L.(E.). **Applied,** *Marc Rich & Co. A.G. v. Bishop Rock Marine Co. Ltd.* [1994] 1 W.L.R. 1071, C.A. **Considered,** *Stovin v. Wise* [1994] 1 W.L.R. 1124, C.A.

Mustapha v. Mohammad [1987] L.R.C.Const. & Admin. 16. **Applied,** *Attorney-General of Trinidad and Tobago v. Phillip* [1994] 3 W.L.R. 1134, P.C.

N. and L. (Minors) (Adoption Proceedings: Venue), *In re* [1987] 1 W.L.R. 829; [1987] 2 All E.R. 732, C.A. **Considered,** *Practice Direction (later-Country Adoptions: Transfer of Proceedings)* [1994] 1 W.L.R. 13

NCNB Texas National Bank v. Evensong Co. Ltd. [1992] 1 Lloyd's Rep. 163. **Considered,** *Hughes v. Clewley* [1994] 2 Lloyd's Rep. 420

National Rivers Authority v. Yorkshire Water Services Ltd. [1994] 4 All E.R. 274, D.C. **Decision of the Divisional Court of the Queen's Bench Division reversed** [1994] 3 W.L.R. 1202, H.L.(E.)

National Westminster Bank Plc. v. Inland Revenue Comrs. [1994] S.T.C. 184, C.A. **Decision of the Court of Appeal affirmed** [1994] 3 W.L.R. 159, H.L.(E.)

Neilson v. Laugharne [1981] Q.B. 736; [1981] 2 W.L.R. 537; [1981] 1 All E.R. 829, C.A. **Applied,** *R. v. Chief Constable of West Midlands, Ex parte Wiley* [1994] 1 W.L.R. 114, C.A. **Overruled,** *R. v. Chief Constable of the West Midlands, Ex parte Wiley* [1994] 3 W.L.R. 433, H.L.(E.)

Nestle v. National Westminster Bank Plc. [1993] 1 W.L.R. 1260; [1994] 1 All E.R. 118, C.A. **Distinguished,** *Target Holdings Ltd. v. Redferns* [1994] 1 W.L.R. 1089, C.A.

Net Book Agreement, 1957 (No. 2), *In re* (1964) L.R. 4 R.P. 484, R.P.Ct. (E. & W.). **Applied,** *In re Carecraft Construction Co. Ltd.* [1994] 1 W.L.R. 172

New Zealand Maori Council v. Attorney-General of New Zealand [1992] 2 N.Z.L.R. 576, C.A. **Decision of the Court of Appeal of New Zealand affirmed** [1994] 2 W.L.R. 254, P.C.

Newbigging v. Adam (1888) 13 App.Cas. 308, H.L.(E.). **Distinguished,** *Cheese v. Thomas* [1994] 1 W.L.R. 129, C.A.

Newbury District Council v. Secretary of State for the Environment [1981] A.C. 578; [1980] 2 W.L.R. 379; [1980] 1 All E.R. 731, H.L.(E.). **Applied,** *Good v. Epping Forest District Council* [1994] 1 W.L.R. 376, C.A.

Newland v. Simons & Willer (Hairdressers) Ltd. [1981] I.C.R. 521, E.A.T. **Explained,** *Salvesen v. Simons* [1994] I.C.R. 409, E.A.T.

News Media Ownership v. Finlay [1970] N.Z.L.R. 1089. **Disapproved,** *Prebble v. Television New Zealand Ltd.* [1994] 3 W.L.R. 970, P.C.

Newton v. Grand Junction Railway Co. (1846) 16 M. & W. 139. **Applied,** *Kuwait Airways Corpn. v. Iraqi Airways Co. (No. 2)* [1994] 1 W.L.R. 985, C.A.

Nordglimt, The [1988] Q.B. 183; [1988] 2 W.L.R. 338; [1988] 2 All E.R. 531; [1987] 2 Lloyd's Rep. 470. **Considered,** *Fort Sterling Ltd. v. South Atlantic Cargo Shipping N.V.* [1994] 1 Lloyd's Rep. 559; *Republic of India v. India Steamship Co. Ltd.* [1994] 2 Lloyd's Rep. 331

Northamptonshire County Council v. S. [1993] Fam. 136; [1992] 3 W.L.R. 1010. **Approved,** *In re M. (A Minor) (Care Orders: Threshold Conditions)* [1994] 2 A.C. 424; [1994] 3 W.L.R. 558, H.L.(E.); **Overruled,** *In re M. (A Minor) (Care Order: Threshold Conditions)* [1994] Fam. 95; [1994] 2 W.L.R. 200, C.A.

Northern General Hospital National Health Service Trust v. Gale [1993] I.C.R. 638. **Decision of the Employment Appeal Tribunal affirmed** [1994] I.C.R. 426, C.A.

Norwich & Peterborough Building Society v. Steed [1991] 1 W.L.R. 449; [1991] 2 All E.R. 880, C.A. **Considered,** *Zielinski v. Pickering* (1993) T.C. Leaflet No. 3391, C.A.

Norwich Town Close Estate Charity, *In re* (1888) 40 Ch.D. 298, C.A. **Applied,** *Peggs v. Lamb* [1994] Ch. 172; [1994] 2 W.L.R. 1

Nottingham County Council v. P. [1994] Fam. 18; [1993] 3 W.L.R. 637, C.A. **Considered,** *Devon County Council v. S.* [1994] Fam. 169; [1994] 3 W.L.R. 183

Nurse v. Morganite Crucible Ltd. [1989] A.C. 692; [1989] 2 W.L.R. 82; [1989] I.C.R. 15; [1989] 1 All E.R. 113, H.L.(E.). **Applied,** *Edgson v. Vickers Plc.* [1994] I.C.R. 510

Odeon Associated Theatres Ltd. v. Jones [1971] 1 W.L.R. 442, 453–454; [1971] 2 All E.R. 407. **Dicta of Sir John Pennycuick V.-C. applied,** *Gallagher v. Jones* [1994] Ch. 107; [1994] 2 W.L.R. 160, C.A. **Considered,** *Johnston v. Britannia Airways Ltd.* (1994) T.C. Leaflet No. 3406

Oldham Metropolitan Borough Council v. E. [1994] 1 F.L.R. 568, C.A. **Overruled,** *In re M. (A Minor) (Care Orders: Threshold Conditions)* [1994] 2 A.C. 424; [1994] 3 W.L.R. 558, H.L.(E.)

O'Reilly v. Mackman [1983] 2 A.C. 237; [1982] 3 W.L.R. 1096; [1982] 3 All E.R. 1124, H.L.(E.). **Considered,** *R. v. Secretary of State for Employment, Ex parte Equal Opportunities Commission* [1994] I.C.R. 317, H.L.(E.)

Orwell Steel (Erection and Fabrication) Ltd. v. Asphalt and Tarmac (U.K.) Ltd. [1984] 1 W.L.R. 1097; [1985] 3 All E.R. 747. **Considered,** *Gidrxslme Shipping Co. Ltd. v. Tantomar-Transportes Maritimos Lda.* [1994] 4 All E.R. 507

Oswald Tillotson Ltd. v. Inland Revenue Comrs. [1933] 1 K.B. 134, C.A. **Applied,** *National Westminster Bank Plc. v. Inland Revenue Comrs.* [1994] 3 W.L.R. 159, H.L.(E.). **Considered,** *National Westminster Bank Plc. v. Inland Revenue Comrs.* (1993) T.C. Leaflet No. 3376

Otter v. Norman [1989] A.C. 128; [1988] 3 W.L.R. 321; [1988] 2 All E.R. 897, H.L.(E). **Considered,** *Co-operative Insurance Society Ltd. v. Hastings* (1993) 91 L.G.R. 608

Overseas Tankship (U.K.) Ltd. v. Miller Steamship Co. Pty. (The Wagon Mound (No.2)) [1967] 1 A.C. 617; [1966] 3 W.L.R. 498; [1966] 2 All E.R. 709, P.C. **Applied,** *Cambridge Water Co. v. Eastern Counties Leather Plc.* [1994] 2 A.C. 264; [1994] 2 W.L.R. 53, H.L.(E.)

Owen v. Chesters [1985] R.T.R. 191, D.C. **Explained,** *Thom v. Director of Public Prosecutions* [1994] R.T.R. 11, D.C.

P. (An Infant) (Adoption: Parental Consent), *In re* [1977] Fam. 25; [1976] 3 W.L.R. 924; [1977] 1 All E.R. 182, C.A. **Distinguished,** *In re C. (A Minor) (Adoption)* [1994] 1 W.L.R. 1220, C.A.

Pagnan S.p.A. v. Feed Products Ltd. [1987] 2 Lloyd's Rep. 601, Bingham J. **Applied,** *Metal Scrap Trade Corporation v. Kate Shipping Co. Ltd. (No. 2)* [1994] 2 Lloyd's Rep. 402

Palmer, decd. (A Debtor), *In re* [1993] 3 W.L.R. 877; [1993] 4 All E.R. 812. **Decision of Vinelott J. reversed** [1994] Ch. 316; [1994] 3 W.L.R. 420, C.A.

Palmer v. Durnford Ford [1992] Q.B. 483; [1992] 2 W.L.R. 407; [1992] 2 All E.R. 122. **Approved,** *M. (A Minor) v. Newham London Borough Council* [1994] 2 W.L.R. 554, C.A.

Pan Atlantic Insurance Co. Ltd. v. Pine Top Insurance Co. Ltd. [1993] 1 Lloyd's Rep. 496, C.A. **Decision of the Court of Appeal affirmed** [1994] 3 W.L.R. 677, H.L.(E.)

Pan Ocean Shipping Co. Ltd. v. Creditcorp Ltd. [1993] 1 Lloyd's Rep. 443, C.A. **Decision of the Court of Appeal affirmed** [1994] 1 W.L.R. 161, H.L.(E.)

Paramount Airways Ltd., *In re* [1993] Ch. 223; [1992] 3 W.L.R. 690; [1992] 3 All E.R. 1, C.A. **Considered,** *In re Seagull Manufacturing Co. Ltd. (No. 2)* [1994] Ch. 91; [1994] 2 W.L.R. 453

Parkash v. Irani Finance Ltd. [1970] Ch. 101; [1969] 2 W.L.R. 1134; [1969] 1 All E.R. 930. **Distinguished,** *Clark v. Chief Land Registrar* [1994] Ch. 370; [1994] 3 W.L.R. 593, C.A.

Parry v. Cleaver [1970] A.C. 1; [1969] 2 W.L.R. 821; [1969] 1 All E.R. 555, H.L.(E.). **Applied,** *Hopkins v. Norcros* [1994] I.C.R. 11, C.A.

Parsons (H.) (Livestock) Ltd. v. Uttley Ingham & Co. Ltd. [1978] Q.B. 791; [1977] 3 W.L.R. 990; [1978] 1 All E.R. 525; [1977] 2 Lloyd's Rep. 552, C.A. **Applied,** *Brown v. KMR Services* [1994] 4 All E.R. 385

Payabi v. Armstel Shipping Corpn. [1992] Q.B. 907; [1992] 2 W.L.R. 898; [1992] 2 Lloyd's Rep. 62. **Considered,** *Leond Maritime Inc. v. M.C. Amethyst Shipping Ltd.* [1994] 2 Lloyd's Rep. 379

Peacock Homes Ltd. v. Secretary of State for the Environment (1984) 83 L.G.R. 686, C.A. **Considered,** *Newbury District Council* (1993) 92 L.G.R. 195, C.A.

Pearl Marin Shipping A/B v. Pietro Cingolani S.A.S. [1982] 1 Lloyd's Rep. 17, C.A. **Applied,** *B.P. Chemicals Ltd. v. Kingdom Engineering (Fife) Ltd.* [1994] 2 Lloyd's Rep. 373

Pearson's Case (1835) 2 Lew. 144. **Disapproved,** *R. v. Kingston* [1994] 3 W.L.R. 519, H.L.(E.)

Pepper v. Hart [1993] A.C. 593; [1992] 3 W.L.R. 1032; [1993] I.C.R. 291; [1993] 1 All E.R. 42, H.L.(E.). **Considered,** *R. v. Inland Revenue Comrs., Ex parte Barker* (1994) T.C. Leaflet No. 3405

Petrofina (U.K.) Ltd. v. Magnaload Ltd. [1984] Q.B. 127; [1983] 3 W.L.R. 805; [1983] 3 All E.R. 35. **Applied,** *National Oilwell (U.K.) Ltd. v. Davy Offshore Ltd.* [1993] 2 Lloyd's Rep. 582

Phillips v. Eyre (1870) L.R. 6 Q.B. 1. **Considered,** *Red Sea Insurance Co. Ltd. v. Bouygues S.A.* [1994] 3 W.L.R. 926, P.C.

Phillip v. Director of Public Prosecutions [1992] 1 A.C. 545; [1992] 2 W.L.R. 211; [1992] 1 All E.R. 665, P.C. **Applied,** *Attorney-General of Trinidad and Tobago v. Phillip* [1994] 3 W.L.R. 1134, P.C.

Phillips v. Mobil Oil Co. Ltd. [1989] 1 W.L.R. 888; [1989] 3 All E.R. 97, C.A. **Considered,** *Co-operative Insurance Society Ltd. v. Hastings* (1993) 91 L.G.R. 608

Phoenix General Insurance Co. of Greece S.A. v. Halvanon Insurance Co. Ltd. [1988] Q.B. 216; [1987] 2 W.L.R. 512; [1987] 2 All E.R. 152, C.A. **Considered,** *Fuji Finance Inc. v. Aetna Life Insurance Co. Ltd.* [1994] 3 W.L.R. 1280

Pine v. Collacott [1985] R.T.R. 282, D.C. **Considered,** *Ogburn v. Director of Public Prosecutions* [1994] 1 W.L.R. 1107, D.C.

Pipraich Sugar Mills Ltd. v. Pipraich Sugar Mills Mazdoor Union [1956] S.C.R. 872. **Applied,** *Commercial Finance Co. Ltd. v. Ramsingh-Mahabir* [1994] 1 W.L.R. 1297, P.C.

Pirelli General Cable Works Ltd. v. Murray [1979] I.R.L.R. 190, 192, E.A.T. **Dicta of Bristow J. considered,** *Cowley v. Manson Timber Ltd.* [1994] I.C.R. 252, E.A.T.

Pontin v. Wood [1962] 1 Q.B. 594; [1962] 2 W.L.R. 258; [1962] 1 All E.R. 294, C.A. **Applied,** *Presentaciones Musicales S.A. v. Secunda* [1994] Ch. 271; [1994] 2 W.L.R. 660, C.A.

Port of London Authority v. Payne [1993] I.C.R. 30, E.A.T. **Decision of the Employment Appeal Tribunal affirmed in part** [1994] I.C.R. 555, C.A.

Portbase Clothing Ltd., *In re* [1993] Ch. 388; [1993] 3 W.L.R. 14; [1993] 3 All E.R. 829. **Distinguished,** *Griffiths v. Yorkshire Bank Plc.* [1994] 1 W.L.R. 1427

Powell & Thomas v. Evan Jones & Co. [1905] 1 K.B. 11, C.A. **Distinguished,** *Henderson v. Merrett Syndicates Ltd.* [1994] 3 W.L.R. 761, H.L.(E.)

Practice Direction (Barrister: Fees) [1989] 1 W.L.R. 605; [1989] 2 All E.R. 288, C.A. **Replaced,** *Practice Note (Barrister: Fees)* [1994] 1 W.L.R. 74, C.A.

Practice Direction (Crown Court: VAT) [1973] 1 W.L.R. 441; [1973] 1 All E.R. 971. **Withdrawn,** *Practice Direction (Crown Court: VAT)* [1994] 1 W.L.R. 435

Practice Direction (Crown Court: VAT) (No. 2) [1974] 1 W.L.R. 218; [1974] 1 All E.R. 847. **Withdrawn,** *Practice Direction (Crown Court: VAT)* [1994] 1 W.L.R. 435

Practice Direction (Family Division: Hearing Duration) [1984] 1 W.L.R. 475; [1984] 1 All E.R. 783. **Considered,** *Practice Direction (Children Cases: Time Estimates)* [1994] 1 W.L.R. 16

Practice Direction (Mareva Injunctions and Anton Piller Orders) [1994] 1 W.L.R. 1233. **Considered,** *Practice Direction (Commercial Court: Practice Guide)* [1994] 1 W.L.R. 1270

Practice Direction (Taxation: VAT) [1973] 1 W.L.R. 438; [1973] 1 All E.R. 974. **Withdrawn,** *Practice Direction (Taxation: VAT)* [1994] 1 W.L.R. 431

Practice Direction (Taxation: VAT) (No. 2) [1974] 1 W.L.R. 217; [1974] 1 All E.R. 848. **Withdrawn,** *Practice Direction (Taxation: VAT)* [1994] 1 W.L.R. 431

Practice Direction (Taxation: VAT) (No. 3) [1981] 1 W.L.R. 327; [1981] 1 All E.R. 828. **Withdrawn,** *Practice Direction (Taxation: VAT)* [1994] 1 W.L.R. 431

Practice Direction (Taxation: VAT Rate) [1974] 1 W.L.R. 1107; [1974] 3 All E.R. 177. **Withdrawn,** *Practice Direction (Taxation: VAT)* [1994] 1 W.L.R. 431

Practice Direction (Taxation: VAT Rate Increase) [1979] 1 W.L.R. 927; [1979] 2 All E.R. 1008. **Withdrawn,** *Practice Direction (Crown Court: VAT)* [1994] 1 W.L.R. 435; *Practice Direction (Taxation: VAT)* [1994] 1 W.L.R. 431

Practice Direction (Taxation: VAT Rate Increase) [1991] 1 W.L.R. 314; [1991] 2 All E.R. 923. **Withdrawn,** *Practice Direction (Taxation: VAT)* [1994] 1 W.L.R. 431

Practice Note (Criminal Evidence: Unused Material) [1982] 1 All E.R. 734. **Considered,** *R. v. Brown (Winston)* [1994] 1 W.L.R. 1599, C.A.

Practice Statement (Commercial Cases: Alternative Dispute Resolution) [1994] 1 W.L.R. 14. **Considered,** *Practice Direction (Commercial Court: Practice Guide)* [1994] 1 W.L.R. 1270

Prasad v. Wolverhampton Borough Council [1983] Ch. 333; [1983] 2 W.L.R. 946; [1988] 2 All E.R. 140, C.A. **Applied,** *Sheffield Development Corpn. v. Glossop Sectional Buildings Ltd.* [1994] 1 W.L.R. 1676, C.A.

Prebble v. Television New Zealand Ltd. [1993] 3 N.Z.L.R. 513. **Decision of the Court of Appeal of New Zealand affirmed in part** [1994] 3 W.L.R. 970, P.C.

Preston v. Preston [1982] Fam. 17, 36–37; [1981] 3 W.L.R. 619; [1982] 1 All E.R. 41, C.A. **Dictum of Brandon L.J. applied,** *Crozier v. Crozier* [1994] Fam. 114; [1994] 2 W.L.R. 444

Preston v. The British Union for the Abolition of Vivisection (1985) 149 J.P. 740. **Considered,** *Edmonds v. Merton London Borough Council* (1993) 92 L.G.R. 382, D.C.

Price v. Cromack [1975] 1 W.L.R. 988; [1975] 2 All E.R. 113, D.C. **Considered,** *National Rivers Authority v. Yorkshire Water Services Ltd.* [1994] 3 W.L.R. 1202, H.L.(E.)

Price v. Humphries [1958] 2 Q.B. 353; [1958] 3 W.L.R. 304; [1958] 2 All E.R. 725, D.C. **Distinguished,** *R. v. Bull* (1993) 99 Cr.App.R. 193, C.A.

Prinsengracht, The [1993] 1 Lloyd's Rep. 41. **Applied,** *The Anna H* [1994] 1 Lloyd's Rep. 287

Prudential Assurance Co. Ltd. v. Fountain Page Ltd. [1991] 1 W.L.R. 756; [1991] 3 All E.R. 878. **Considered,** *Milano Assicurazioni S.p.A. v. Walbrook Insurance Co. Ltd.* [1994] 1 W.L.R. 977

Prudential Insurance Co. v. Inland Revenue Comrs. [1904] 2 K.B. 658. **Considered,** *Fuji Finance Inc. v. Aetna Life Insurance Co. Ltd.* [1994] 3 W.L.R. 1280

Quinn v. Burch Bros. (Builders) Ltd. [1966] 2 Q.B. 370; [1966] 2 W.L.R. 1017; [1966] 2 All E.R. 283, C.A. **Applied,** *Galoo Ltd. v. Bright Grahame Murray* [1994] 1 W.L.R. 1360, C.A.

R. (A Minor) (Contempt: Sentence), *In re* [1994] 1 W.L.R. 487, C.A. **Applied,** *Villiers v. Villiers* [1994] 1 W.L.R. 493, C.A.

R. v. Abbott [1955] 2 Q.B. 497; [1955] 3 W.L.R. 369; [1955] 2 All E.R. 899; 39 Cr.App.R. 141, C.C.A. **Considered,** *R. v. Strudwick* (1993) 99 Cr.App.R. 326, C.A.

R. v. Adomako [1994] Q.B. 302; [1994] 3 W.L.R. 927; [1993] 4 All E.R. 935, C.A. **Decision of the Court of Appeal (Criminal Division)** *sub nom. R. v. Prentice* **affirmed** [1994] 3 W.L.R. 288, H.L.(E.)

R. v. Agbim [1979] Crim.L.R. 171, C.A. **Applied,** *R. v. Houlden* (1993) 99 Cr.App.R. 244, C.A.

R. v. Ananthanarayanan [1994] 1 W.L.R. 788; 98 Cr.App.R. 1, C.A. **Applied,** *R. v. Ryder* [1994] 2 All E.R. 859, C.A. **Considered,** *R. v. W.* [1994] 1 W.L.R. 800, C.A. **Not followed,** *R. v. H.* [1994] 1 W.L.R. 809, C.A.

R. v. Anderson; R. v. Morris [1966] 2 Q.B. 110; [1966] 2 W.L.R. 1195; [1966] 2 All E.R. 644, C.C.A. **Distinguished,** *Dunkley v. The Queen* [1994] 3 W.L.R. 1124, P.C.

R. v. Anderson (William Ronald) [1986] A.C. 27; [1985] 3 W.L.R. 268; [1985] 2 All E.R. 961, H.L.(E.). **Applied,** *Yip Chiu-Cheung v. The Queen* [1994] 3 W.L.R. 514, P.C.

R. v. Aramah (1982) 76 Cr.App.R. 190, C.A. **Considered,** *R. v. Aranguren* (1994) 99 Cr.App.R. 347, C.A.

R. v. Ayres [1984] A.C. 447, 460–461; [1984] 2 W.L.R. 257; [1984] 1 All E.R. 619, H.L.(E.). **Dictum of Lord Bridge of Harwich applied,** *R. v. Pickford* [1994] 3 W.L.R. 1022, C.A.

R. v. B. [1979] 1 W.L.R. 1185; [1979] 3 All E.R. 460, C.A. **Not followed,** *C. (A Minor) v. Director of Public Prosecutions* [1994] 3 W.L.R. 888, D.C.

R. v. Balmforth [1992] Crim.L.R. 825, C.A. **Considered,** *R. v. Richardson* (1993) 98 Cr.App.R. 174, C.A.

R. v. Barker (Note) (1975) 65 Cr.App.R. 287, C.A. **Considered,** *Farquharson v. R.* (1993) 98 Cr.App.R. 398, P.C.

R. v. Barrow (1934) 24 Cr.App.R. 141, C.C.A. **Not followed,** *R. v. Cheema* [1994] 1 W.L.R. 147, C.A.

R. v. Bateman (1925) 19 Cr.App.R. 8, C.C.A. **Applied,** *R. v. Adomako* [1994] 3 W.L.R. 288, H.L.(E.)

R. v. Bedford (1990) 93 Cr.App.R. 113, C.A. **Distinguished,** *R. v. Ananthanarayanan* [1994] 1 W.L.R. 788, C.A.

R. v. Bellman [1989] A.C. 836; [1989] 2 W.L.R. 37; [1989] 1 All E.R. 22, H.L.(E.). **Applied,** *R. v. Chichester Justices, Ex parte Director of Public Prosecutions* [1994] R.T.R. 175, D.C.

R. v. Berry [1991] 1 W.L.R. 125; [1991] 2 All E.R. 789, C.A. **Considered,** *R. v. Kearley (No. 2)* [1994] 2 A.C. 414; [1994] 3 W.L.R. 413, H.L.(E.); *R. v. Mandair* [1994] 2 W.L.R. 700, H.L.(E.)

R. v. Bexley [1993] 1 W.L.R. 192; [1993] 2 All E.R. 23, C.A. **Applied,** *R. v. Crawford* (1993) 98 Cr.App.R. 297, C.A.

R. v. Bilinski (1987) 86 Cr.App.R. 146, C.A. **Considered,** *R. v. Aranguren* (1994) 99 Cr.App.R. 347, C.A.

R. v. Billam [1986] 1 W.L.R. 349; [1986] 1 All E.R. 985, C.A. **Applied,** *Attorney-General's Reference (No. 32 of 1992)* (1993) 98 Cr.App.R. 206, C.A.

R. v. Boardman [1975] A.C. 421; [1974] 3 W.L.R. 673; [1974] 3 All E.R. 887, H.L.(E.). **Considered,** *R. v. Ananthanarayanan* [1994] 1 W.L.R. 788, C.A.

R. v. Boswell [1984] 1 W.L.R. 1047; [1984] 3 All E.R. 353, C.A. **Considered,** *R. v. Duncan (Anthony)* [1994] R.T.R. 93, C.A.; *R. v. Shepherd* [1994] 1 W.L.R. 530, C.A.

R. v. Boyson [1991] Crim.L.R. 274. **Distinguished,** *R. v. Buckingham* (1993) 99 Cr.App.R. 303, C.A.

R. v. Bradford Justices, Ex parte Wilkinson [1990] 1 W.L.R. 692; [1990] 2 All E.R. 833, D.C. **Applied,** *R. v. Bristol Magistrates' Court, Ex parte Rowles* [1994] R.T.R. 40, D.C.

R. v. Brooks (1990) 92 Cr.App.R. 36, 42, C.A. **Dictum of Mustill L.J. considered,** *R. v. Ryder* (1993) 98 Cr.App.R. 242, C.A.

R. v. Brown (Kevin) (1983) 79 Cr.App.R. 115, C.A. **Applied,** *R. v. Houlden* (1993) 99 Cr.App.R. 244, C.A.

R. v. Burke (1985) 82 Cr.App.R. 156, C.A. **Applied,** *R. v. McLeod* [1994] 1 W.L.R. 1500, C.A.

R. v. Camborne Justices, *Ex parte* Pearce [1955] 1 Q.B. 41; [1954] 3 W.L.R. 415; [1954] 2 All E.R. 850, D.C. **Applied,** *R. v. Newcastle-under-Lyme Justices, Ex parte Massey* [1994] 1 W.L.R. 1684, D.C.

R. v. Christou [1992] Q.B. 979; [1992] 3 W.L.R. 228; [1992] 4 All E.R. 559, C.A. **Distinguished,** *R. v. Okafor* [1994] 3 All E.R. 741, C.A.

R. v. Chief Constable of the West Midlands, *Ex parte* Wiley [1994] 1 W.L.R. 114; [1994] 1 All E.R. 702, C.A. **Decision of the Court of Appeal reversed** [1994] 3 W.L.R. 433, H.L.(E.)

R. v. Civil Service Appeal Board, *Ex parte* Cunningham [1992] I.C.R. 816; [1991] 4 All E.R. 310, C.A. **Applied,** *R. v. Harrow Crown Court, Ex parte Dave* [1994] 1 W.L.R. 98, D.C. **Considered,** *R. v. Higher Education Funding Council, Ex parte Institute of Dental Surgery* [1994] 1 W.L.R. 242, D.C.

R. v. Clerk to Liverpool City Justices, *Ex parte* Shacklady [1993] 1 W.L.R. 1148; [1993] 2 All E.R. 929, D.C. **Applied,** *R. v. Liverpool Stipendiary Magistrate, Ex parte Pender (No. 2)* [1994] 1 W.L.R. 964, D.C.

R. v. Clinton [1993] 1 W.L.R. 1181; [1993] 2 All E.R. 998, C.A. **Considered,** *R. v. Bevan* (1993) 98 Cr.App.R. 354, C.A.

R. v. Comr. of Police of the Metropolis, *Ex parte* Hart-Leverton, The Times, 8 February 1990, D.C. **Disapproved,** *R. v. Chief Constable of West Midlands, Ex parte Wiley* [1994] 1 W.L.R. 114, C.A.

R. v. Cornwall County Council, *Ex parte* Huntington [1992] 3 All E.R. 566. **Decision of the Divisional Court of the Queen's Bench Division affirmed** [1994] 1 All E.R. 694, C.A.

R. v. Coulburn (1988) 87 Cr.App.R. 309, C.A. **Not followed,** *C. (A Minor) v. Director of Public Prosecutions* [1994] 3 W.L.R. 888, D.C.

R. v. Courtie [1984] A.C. 463; [1984] 2 W.L.R. 330; [1984] 1 All E.R. 740, H.L.(E.). **Considered,** *Director of Public Prosecutions v. Butterworth* [1994] 3 W.L.R. 538, H.L.(E.)

R. v. Crabtree [1992] Crim.L.R. 65, C.A. **Applied,** *R. v. Caldwell* (1993) 99 Crim.L.R. 73, C.A.

R. v. Croydon Crown Court, *Ex parte* Miller (1986) 85 Cr.App.R. 152, D.C. **Considered,** *R. v. Ealing Justices, Ex parte Scrafield* [1994] R.T.R. 195, D.C.

R. v. Davis [1993] 1 W.L.R. 613; [1993] 2 All E.R. 643, C.A. **Applied,** *R. v. Keane* [1994] 1 W.L.R. 746, C.A.

R. v. De Munck [1918] 1 K.B. 635, C.C.A. **Considered,** *R. v. McFarlane* [1994] Q.B. 419; [1994] 2 W.L.R. 494, C.A.

R. v. Deputy Governor of Parkhurst Prison, *Ex parte* Hague [1992] 1 A.C. 58; [1991] 3 W.L.R. 340; [1991] 3 All E.R. 733, H.L.(E.). **Distinguished,** *Racz v. Home Office* [1994] 2 A.C. 45; [1994] 2 W.L.R. 23, H.L.(E.)

R. v. Derby Crown Court, *Ex parte* Brooks (1984) 80 Cr.App.R. 164, D.C. **Distinguished,** *Brooks v. Director of Public Prosecutions* [1994] 1 A.C. 568; [1994] 2 W.L.R. 381, P.C.

R. v. Dickens (1990) 12 Cr.App.R. (S.) 191, C.A. **Considered,** *R. v. Simons* (1993) 98 Cr.App.R. 100, C.A.

R. v. Dixon (Note) (1989) 92 Cr.App.R. 43, C.A. **Applied,** *R. v. Ofori* (1993) 99 Cr.App.R. 223, C.A.

R. v. Dorset County Council, *Ex parte* Rolls (1994) 26 H.L.R. 381. **Decision of Laws J. affirmed** [1994] 3 W.L.R. 1151, C.A.

R. v. Duffy [1949] 1 All E.R. 932, C.C.A. **Applied,** *R. v. Richens* [1993] 4 All E.R. 877, C.A.

R. v. Effik (1992) 95 Cr.App.R. 427, C.A. **Decision of the Court of Appeal (Criminal Division) affirmed** [1994] 3 W.L.R. 583, H.L.(E.)

R. v. Elliott (1984) 81 Cr.App.R. 115, C.A. **Followed,** *R. v. Bull* (1993) 99 Cr.App.R. 193, C.A.

R. v. Field [1993] Crim.L.R. 456, C.A. **Applied,** *R. v. Mandair* (1993) 99 Cr.App.R. 55, C.A.

R. v. Flower [1966] 1 Q.B. 146; [1965] 3 W.L.R. 1202; [1965] 3 All E.R. 669, C.C.A. **Followed,** *R. v. Carter* (1993) 98 Cr.App.R. 106, C.A.

R. v. Folkestone Justices, *Ex parte* Kibble, The Times, 1 March 1993, D.C. **Overruled,** *Aitken v. South Hams District Council* [1994] 3 W.L.R. 333, H.L.(E.)

R. v. Forbes and Webb (1865) 10 Cox C.C. 362. **Considered,** *Blackburn v. Bowering* [1994] 1 W.L.R. 1324, C.A.

R. v. Fowden [1982] Crim.L.R. 588, C.A. **Distinguished,** *R. v. Caldwell* (1993) 99 Cr.App.R. 73, C.A.

R. v. Fowler (1987) 86 Cr.App.R. 219, C.A. **Considered,** *R. v. Hacker* [1994] 1 W.L.R. 1659, H.L.(E.)

R. v. Fulling [1987] Q.B. 426, 432; [1987] 2 W.L.R. 923; [1987] 2 All E.R. 65, C.A. **Dictum of Lord Lane C.J. applied,** *R. v. Smith (Wallace)* [1994] 1 W.L.R. 1396, C.A. **Considered,** *R. v. Smurthwaite* [1994] 1 All E.R. 898, C.A.

R. v. Galbraith [1981] 1 W.L.R. 1039; [1981] 2 All E.R. 1060, C.A. **Considered,** *Farquharson v. R.* (1993) 98 Cr.App.R. 398, P.C.

R. v. Gibson (Rodney) (1991) 93 Cr.App.R. 9, C.A. **Not followed,** *R. v. Houlden* (1993) 99 Cr.App.R. 244, C.A.

R. v. Gillingham Borough Council, *Ex parte* Parham Ltd. (1987) 58 P. & C.R. 73. **Applied,** *Good v. Epping Forest District Council* [1994] 1 W.L.R. 376, C.A.

R. v. Gittens [1984] Q.B. 698, 703; [1984] 3 W.L.R. 327; [1984] 3 All E.R. 252, C.A. **Dictum of Lord Lane C.J. considered,** *R. v. Sanderson* (1993) 98 Cr.App.R. 325, C.A.

R. v. Gomez [1993] A.C. 442; [1992] 3 W.L.R. 1067; [1993] 1 All E.R. 1, H.L.(E.). **Considered,** *R. v. Gallasso* (1992) 98 Cr.App.R. 284, C.A.

R. v. Governor of Pentonville Prison, *Ex parte* Sinclair [1991] 2 A.C. 64; [1991] 2 W.L.R. 1028; [1991] 2 All E.R. 366, H.L.(E.). **Followed,** *In re Schmidt* [1994] 3 W.L.R. 228, D.C. and H.L.(E.)

R. v. Grant [1944] 2 All E.R. 311; (1944) 30 Cr.App.R. 99, C.A. **Distinguished,** *R. v. Palmer* (1993) 99 Cr.App.R. 83, C.A.

R. v. Greater Manchester Coroner, *Ex parte* Tal [1985] Q.B. 67; [1984] 3 W.L.R. 643; [1984] 3 All E.R. 240, D.C. **Explained,** *C. (A Minor) v. Director of Public Prosecutions* [1994] 3 W.L.R. 888, D.C.

R. v. H.M. Coroner for Birmingham, *Ex parte* Secretary of State for the Home Department (1990) 155 J.P. 107, D.C. **Considered,** *R. v. H.M. Coroner for North Humberside and Scunthorpe, Ex parte Jamieson* [1994] 3 W.L.R. 82, C.A.

R. v. Hall [1973] Q.B. 126, 132; [1972] 3 W.L.R. 381; [1972] 2 All E.R. 1009, C.A. **Dicta of Edmund Davies L.J. disapproved,** *R. v. Dubar* [1994] 1 W.L.R. 1484, Ct.-M.A.C.

R. v. Hall [1993] Crim.L.R. 527. **Distinguished,** *R. v. Buckingham* (1993) 99 Cr.App.R. 303, C.A.

R. v. Hallam [1957] 1 Q.B. 569, 573; [1957] 2 W.L.R. 521; [1957] 1 All E.R. 665, C.C.A. **Applied,** *R. v. Berry* (1993) 99 Cr.App.R. 88, C.A.

R. v. Hallstrom, *Ex parte* W. (No. 2) [1986] Q.B. 1090, 1104; [1986] 2 W.L.R. 883; [1986] 2 All E.R. 306. **Dictum of McCullough J. applied,** *R. v. Canons Park Mental Health Review Tribunal, Ex parte A.* [1994] 1 All E.R. 481, D.C.

R. v. Hamid (1979) 69 Cr.App.R. 324, C.A. **Dictum of Lawton L.J. considered,** *R. v. Carroll* (1993) 99 Cr.App.R. 381, C.A.

R. v. Hayden [1975] 1 W.L.R. 852, 853; [1975] 2 All E.R. 558, C.A. **Dictum of Lord Widgery C.J. applied,** *Attorney-General's Reference (No. 22 of 1992)* [1992] 1 All E.R. 105, C.A.

R. v. Hayes (John) (1976) 64 Cr.App.R. 82, 85, C.A. **Dicta of Lord Widgery C.J. disapproved,** *R. v. Dubar* [1994] 1 W.L.R. 1484, Ct.-M.A.C.

R. v. Hester [1973] A.C. 296; [1972] 3 W.L.R. 910; [1972] 3 All E.R. 1056; 57 Cr.App.R. 212, H.L.(E.). **Followed,** *R. v. H.* [1994] 1 W.L.R. 809, C.A.

R. v. Hickman (1784) 1 Leach 318. **Applied,** *In re St. Anne's, Wrenthorpe* [1994] Fam. 83; [1994] 2 W.L.R. 338

R. v. Horseferry Road Magistrates' Court, *Ex parte* Bennett [1994] 1 A.C. 42; [1993] 3 W.L.R. 90; [1993] 3 All E.R. 138, H.L.(E.). **Distinguished,** *In re Schmidt* [1994] 3 W.L.R. 228, D.C. and H.L.(E.)

R. v. Horsham Justices, *Ex parte* Reeves (Note) (1980) 75 Cr.App.R. 236, D.C. **Applied,** *Brooks v. Director of Public Prosecutions* [1994] 1 A.C. 568; [1994] 2 W.L.R. 381, P.C.

R. v. Immigration Appeal Tribunal, *Ex parte* Khan (Mahmud) [1983] Q.B. 790; [1983] 2 W.L.R. 759; [1983] 2 All E.R. 420, C.A. **Applied,** *R. v. Harrow Crown Court, Ex parte Dave* [1994] 1 W.L.R. 98, D.C.

R. v. Inland Revenue Comrs., *Ex parte* M.F.K. Underwriting Agents Ltd. [1990] 1 W.L.R. 1545; [1990] 1 All E.R. 91, D.C. **Considered,** *R. v. Inland Revenue Comrs., Ex parte Matrix-Securities Ltd.* [1994] 1 W.L.R. 334, H.L.(E.)

R. v. Inland Revenue Comrs., *Ex parte* National Federation of Self-Employed and Small Businesses Ltd. [1982] A.C. 617; [1981] 2 W.L.R. 722; [1981] 2 All E.R. 93, H.L.(E.). **Dictum of Lord Scarman not followed,** *R. v. Secretary of State for Employment, Ex parte Equal Opportunities Commission* [1994] I.C.R. 317, H.L.(E.)

R. v. Inland Revenue Comrs., *Ex parte* Preston [1985] A.C. 835; [1984] 2 W.L.R. 836; [1985] 2 All E.R. 327, H.L.(E.). **Considered,** *R. v. Inland Revenue Comrs., Ex parte Matrix-Securities Ltd.* [1994] 1 W.L.R. 334, H.L.(E.)

R. v. Inland Revenue Comrs., *Ex parte* Woolwich Building Society [1989] S.T.C. 463; 63 T.C. 589. **Distinguished,** *Joint v. Bracken Developments Ltd.* (1994) T.C. Leaflet No. 3389

R. v. Investors Compensation Board, *Ex parte* Bowden [1994] 1 W.L.R. 17; [1994] 1 All E.R. 525, D.C. **Applied,** *R. v. Investors Compensation Scheme Ltd., Ex parte Weyell* [1994] Q.B. 749; [1994] 2 W.L.R. 678, D.C. **Decision of the Divisional Court of the Queen's Bench Division reversed** [1994] 3 W.L.R. 1045, C.A.

R. v. Jefferies [1969] 1 Q.B. 120; [1968] 3 W.L.R. 830; [1968] 3 All E.R. 238, C.A. **Applied,** *R. v. Kearley (No. 2)* [1994] 1 W.L.R. 555, C.A. **Approved,** *R. v. Kearley (No. 2)* [1994] 2 A.C. 414; [1994] 3 W.L.R. 413, H.L.(E.)

R. v. Johannsen (1977) 65 Cr.App.R. 101, C.A. **Followed,** *R. v. H.* [1994] 1 W.L.R. 809, C.A. **Considered,** *R. v. W.* [1994] 1 W.L.R. 800, C.A. **Distinguished,** *R. v. Ananthanarayanan* [1994] 1 W.L.R. 788, C.A.

R. v. Johnson (1990) 12 Cr.App.R. 182, C.A. **Considered,** *R. v. Simons* (1993) 98 Cr.App.R. 100, C.A.

R. v. Jones (Reginald William) [1970] 1 W.L.R. 16; [1969] 3 All E.R. 1559, C.A. **Considered,** *Roberts v. Director of Public Prosecutions* [1994] R.T.R. 31, D.C.

R. v. Keane (1977) 65 Cr.App.R. 247, C.A. **Applied,** *R. v. Bentley* (1991) 99 Cr.App.R. 342, C.A.

R. v. Keane [1994] 1 W.L.R. 746; [1994] 2 All E.R. 478, C.A. **Considered,** *R. v. Brown (Winston)* [1994] 1 W.L.R. 1599, C.A.

R. v. Kearley (No. 2) [1994] 1 W.L.R. 555; [1994] 2 All E.R. 354, C.A. **Decision of the Court of Appeal (Criminal Division) affirmed** [1994] 2 A.C. 414; [1994] 3 W.L.R. 413, H.L.(E.)

R. v. Khan (Mohammed Iqbal) [1990] 1 W.L.R. 813; [1990] 2 All E.R. 783, C.A. **Applied,** *Attorney-General's Reference (No. 3 of 1992)* [1994] 1 W.L.R. 409, C.A.

R. v. Kilbourne [1973] A.C. 729; [1973] 2 W.L.R. 254; [1973] 1 All E.R. 440, H.L.(E.). **Considered,** *R. v. Ananthanarayanan* [1994] 1 W.L.R. 788, C.A. **Dictum of Lord Reid considered,** *R. v. Ryder* (1993) 98 Cr.App.R. 242, C.A.

R. v. Kimber [1983] 1 W.L.R. 1118; [1983] 3 All E.R. 316, C.A. **Applied,** *Blackburn v. Bowering* [1994] 1 W.L.R. 1324, C.A.

R. v. Kingston [1994] Q.B. 81, C.A. **Decision of the Court of Appeal (Criminal Division)** [1994] 3 W.L.R. 519, H.L.(E.)

R. v. Knightsbridge Crown Court, *Ex parte* International Sporting Club (London) Ltd. [1982] Q.B. 304, 314; [1981] 3 W.L.R. 640; [1981] 3 All E.R. 417, D.C. **Dicta of Griffiths L.J. applied,** *R. v. Harrow Crown Court, Ex parte Dave* [1994] 1 W.L.R. 98, D.C.

R. v. Kyselka (1962) 133 C.C.C. 103, 107. **Dictum of Porter C.J. applied,** *R. v. Robinson* [1994] 3 All E.R. 346, C.A.

R. v. Lane (1985) 82 Cr.App.R. 5, C.A. **Considered,** *R. v. Strudwick* (1993) 99 Cr.App.R. 326, C.A.

R. v. Lawrence (Alan) [1972] A.C. 626; [1971] 3 W.L.R. 225; [1971] 2 All E.R. 1253, H.L.(E.). **Considered,** *R. v. Gallasso* (1992) 98 Cr.App.R. 284, C.A.

R. v. Lawrence (Stephen) [1982] A.C. 510; [1981] 2 W.L.R. 524; [1981] 1 All E.R. 974, H.L.(E.). **Considered,** *R. v. Adomako* [1994] 3 W.L.R. 288, H.L.(E.)

R. v. Leicester Crown Court, *Ex parte* Director of Public Prosecutions [1987] 1 W.L.R. 1371; [1987] 3 All E.R. 654, D.C. **Doubted,** *R. v. Chelmsford Crown Court, Ex parte Chief Constable of Essex* [1994] 1 W.L.R. 359, D.C.

R. v. Lemsatef [1977] 1 W.L.R. 812; [1977] 2 All E.R. 835, C.A. **Applied,** *R. v. Chief Constable of South Wales, Ex parte Merrick* [1994] 1 W.L.R. 663, D.C.

R. v. Liverpool Justices, *Ex parte* Roberts [1960] 1 W.L.R. 585; [1960] 2 All E.R. 384, D.C. **Applied,** *R. v. Newcastle-under-Lyme Justices, Exparte Massey* [1994] 1 W.L.R. 1684, D.C.

R. v. Local Comr. for Administration for the South, the West, the West Midlands, Leicestershire, Lincolnshire and Cambridgeshire, *Ex parte* Eastleigh Borough Council [1988] Q.B. 855; [1988] 3 W.L.R. 113; [1988] 3 All E.R. 151, C.A. **Considered,** *R. v. Parliamentary Comr. for Administration, Ex parte Dyer* [1994] 1 W.L.R. 621, D.C.

R. v. Loveridge (Christopher) (1982) 76 Cr.App.R. 125, C.A. **Followed,** *R. v. Cheema* [1994] 1 W.L.R. 147, C.A.

R. v. Lucas [1981] Q.B. 720; [1981] 3 W.L.R. 120; [1981] 2 All E.R. 1008, C.A. **Applied,** *R. v. Goodway* [1993] 4 All E.R. 894, C.A.

R. v. McCann (1990) 92 Cr.App.R. 239, C.A. **Applied,** *R. v. Taylor* (1993) 98 Cr.App.R. 361, C.A.

R. v. McFarlane [1994] Q.B. 419; [1994] 2 W.L.R. 494; [1994] 2 All E.R. 283, C.A. **Considered,** *Director of Public Prosecutions v. Bull* [1994] 3 W.L.R. 1196, D.C.

R. v. Macclesfield Justices, *Ex parte* Jones [1983] R.T.R. 143, D.C. **Distinguished,** *R. v. Bristol Magistrates' Court, Ex parte Rowles* [1994] R.T.R. 40, D.C.

R. v. MacDonagh [1974] Q.B. 448; [1974] 2 W.L.R. 529; [1974] 2 All E.R. 257, C.A. **Distinguished,** *Gunnell v. Director of Public Prosecutions* [1994] R.T.R. 151, D.C.

R. v. McGregor [1962] N.Z.L.R. 1069. **Applied,** *R. v. Morhall* [1993] 4 All E.R. 888, C.A.

R. v. Maguire [1992] Q.B. 936; [1992] 2 W.L.R. 767; [1992] 2 All E.R. 433, C.A. **Applied,** *R. v. Kearley (No. 2)* [1994] 1 W.L.R. 555, C.A.

R. v. Mainwaring (1981) 74 Cr.App.R. 99, C.A. **Followed,** *R. v. Dubar* [1994] 1 W.L.R. 1484, Ct.-M.A.C.

R. v. Majewski [1977] A.C. 443; [1976] 2 W.L.R. 623; [1976] 2 All E.R. 142, H.L.(E.). **Considered,** *R. v. Kingston* [1994] 3 W.L.R. 519, H.L.(E.)

R. v. Marchant (1984) 80 Cr.App.R. 361, C.A. **Applied,** *Director of Public Prosecutions v. Spriggs* [1994] R.T.R. 1, D.C.

R. v. Martinez (1984) 6 Cr.App.R.(S.) 364. **Considered,** *R. v. Aranguren* (1994) 99 Cr.App.R. 347, C.A.

R. v. Matthews (1983) 78 Cr.App.R. 23, C.A. **Applied,** *R. v. Sharp* [1994] Q.B. 261; [1994] 2 W.L.R. 84, C.A.

R. v. Millard and Vernon [1987] Crim.L.R. 393, C.A. **Explained,** *Attorney-General's Reference (No. 3 of 1992)* [1994] 1 W.L.R. 409, C.A.

R. v. Miller [1954] 2 Q.B. 282; [1954] 2 W.L.R. 138; [1954] 2 All E.R. 529. **Considered,** *R. v. Chan-Fook* [1994] 1 W.L.R. 689, C.A.

R. v. Moran (1985) 81 Cr.App.R. 51, C.A. **Considered,** *R. v. Lawless* (1993) 98 Cr.App.R. 342, C.A.

R. v. Morris (David) [1984] A.C. 320, 332; [1983] 3 W.L.R. 697; [1983] 3 All E.R. 288, H.L.(E.). **Dictum of Lord Roskill disapproved,** *R. v. Gallasso* (1992) 98 Cr App.R. 284, C.A.

R. v. Morris-Lowe [1985] 1 W.L.R. 29; [1985] 1 All E.R. 400, C.A. **Considered,** *R. v. McFarlane* [1994] Q.B. 419; [1994] 2 W.L.R. 494, C.A.

R. v. Murphy (1986) 64 A.L.R. 498. **Not followed,** *Prebble v. Television New Zealand Ltd.* [1994] 3 W.L.R. 970, P.C.

R. v. Mutch [1973] 1 All E.R. 178, 179, 181; 57 Cr.App.R. 196, C.A. **Dicta of Lawton L.J. applied,** *R. v. Martinez-Tobon* [1994] 1 W.L.R. 388, C.A.

R. v. National Insurance Comr., *Ex parte* Secretary of State for Social Services [1981] 1 W.L.R. 1017; [1981] 2 All E.R. 738, C.A. **Applied,** *Mallinson v. Secretary of State for Social Security* [1994] 1 W.L.R. 630, H.L.(E.)

R. v. Newell (1980) 71 Cr.App.R. 331, C.A. **Considered,** *R. v. Morhall* [1993] 4 All E.R. 888, C.A.

R. v. Northavon District Council, *Ex parte* Smith [1994] Q.B. 248; [1993] 3 W.L.R. 776; [1993] 4 All E.R. 731, C.A. **Decision of the Court of Appeal reversed** [1994] 2 A.C. 402; [1994] 3 W.L.R. 403, H.L.(E.)

R. v. Nugent [1977] 1 W.L.R. 789; [1977] 3 All E.R. 662. **Distinguished,** *R. v. Richardson* (1993) 98 Cr.App.R. 174, C.A.

R. v. Oliva [1965] 1 W.L.R. 1028; [1965] 3 All E.R. 116, C.C.A. **Distinguished,** *R. v. Richardson* (1993) 98 Cr.App.R. 174, C.A.

R. v. Owen (1985) 83 Cr.App.R. 100, C.A. **Applied,** *R. v. McLeod* [1994] 1 W.L.R. 1500, C.A.

R. v. Payne [1950] 1 All E.R. 102; (1950) 34 Cr.App.R. 43, C.A. **Distinguished,** *R. v. Palmer* (1993) 99 Cr.App.R. 83, C.A.

R. v. Penwith Justices, *Ex parte* Hay (1979) 1 Cr.App.R.(S.) 265, D.C. **Considered,** *In re Barretto* [1994] Q.B. 392; [1994] 2 W.L.R. 149, C.A.

R. v. Pettipher (Note) [1991] R.T.R. 183, C.A. **Considered,** *R. v. Shepherd* [1994] 1 W.L.R. 530, C.A.

R. v. Phillips (1767) 4 Burr. 2089. **Distinguished,** *Brooks v. Director of Public Prosecutions* [1994] 1 A.C. 568; [1994] 2 W.L.R. 381, P.C.

R. v. Phillips, Lucas and Gibson (1764) 3 Burr. 1564. **Distinguished,** *Brooks v. Director of Public Prosecutions* [1994] 1 A.C. 568; [1994] 2 W.L.R. 381, P.C.

R. v. Pike [1971] 1 W.L.R. 1321; [1971] 2 All E.R. 1470, C.A. **Applied,** *R. v. Crawford* (1993) 98 Cr.App.R. 297, C.A.

R. v. Pipe (1967) 51 Cr.App.R. 17, C.A. **Distinguished,** *R. v. Palmer* (1993) 99 Cr.App.R. 83, C.A.

R. v. Porritt [1961] 1 W.L.R. 1372; [1961] 3 All E.R. 463, C.C.A. **Applied,** *Reg. v. Cambridge* [1994] 1 W.L.R. 971, C.A.

R. v. Prater [1960] 2 Q.B. 464; [1960] 2 W.L.R. 343; [1960] 1 All E.R. 298, C.C.A. **Followed,** *R. v. Cheema* [1994] 1 W.L.R. 147, C.A.

R. v. Pratt (1867) L.R. 3 Q.B. 64, D.C. **Applied,** *Selby v. Director of Public Prosecutions* [1994] R.T.R. 157, D.C.

R. v. Registrar General, *Ex parte* Smith [1991] 2 Q.B. 393; [1991] 2 W.L.R. 782; [1991] 2 All E.R. 88, C.A. **Applied,** *In re X (A Minor) (Adoption Details: Disclosure)* [1994] Fam. 174; [1994] 3 W.L.R. 327, C.A.

R. v. Rhodes [1899] 1 Q.B. 77. **Applied,** *R. v. Martinez-Tobon* [1994] 1 W.L.R. 388, C.A.

R. v. Richardson [1971] 2 Q.B. 484, 490; [1971] 2 W.L.R. 889; [1979] 2 All E.R. 773; 55 Cr.App.R. 244, C.A. **Dictum of Sachs L.J. considered,** *R. v. Skinner* (1993) 99 Cr.App.R. 212, C.A.

R. v. Robertson [1987] Q.B. 920; [1987] 3 W.L.R. 327; [1987] 3 All E.R. 231; 85 Cr.App.R. 304, C.A. **Considered,** *R. v. Buckingham* (1993) 99 Cr.App.R. 303, C.A.

R. v. Rochdale Metropolitan Borough Council, *Ex parte* Schemet (1993) 91 L.G.R.. 425. **Considered,** *R. v. Essex County Council, Ex parte C.* (1993) 92 L.G.R. 46

R. v. Rodenhurst [1989] R.T.R. 333, C.A. **Distinguished,** *R. v. Duncan (Anthony)* [1994] R.T.R. 93, C.A.

R. v. Rollafson [1969] 1 W.L.R. 815; [1969] 2 All E.R. 833, C.A. **Considered,** *R. v. Pickford* [1994] 3 W.L.R. 1022, C.A.

R. v. Rowe [1955] 1 Q.B. 573; [1955] 2 W.L.R. 1056; [1955] 2 All E.R. 234, C.C.A. **Considered,** *R. v. Kearley (No. 2)* [1994] 2 A.C. 414; [1994] 3 W.L.R. 413, H.L.(E.)

R. v. Rudd (1948) 32 Cr.App.R. 138, C.C.A. **Not followed,** *R . v. Cheema* [1994] 1 W.L.R. 147, C.A.

R. v. St. Albans Crown Court, *Ex parte* Cinnamond [1981] Q.B. 480; [1981] 2 W.L.R. 681; [1981] 1 All E.R. 802, D.C. **Considered,** *R. v. Ealing Justices, Ex parte Scrafield* [1994] R.T.R. 195, D.C.

R. v. Sang [1980] A.C. 402; [1979] 3 W.L.R. 263; [1979] 2 All E.R. 1222, H.L.(E.). **Considered,** *R. v. Smurthwaite* [1994] 1 All E.R. 898, C.A.

R. v. Sat-Bhambra (1988) 88 Cr.App.R. 55, C.A. **Considered,** *R. v. Park* (1993) 99 Cr.App.R. 270, C.A.

R. v. Secretary of State for Employment, *Ex parte* Equal Opportunities Commission [1993] I.C.R. 251, 263–264; [1993] 1 W.L.R. 872; [1993] 1 All E.R. 1022, C.A.; [1994] I.C.R. 317, 331–332; [1994] 2 W.L.R. 409; [1994] 1 All E.R. 910, H.L.(E.). **Dicta of Dillon L.J. and Lord Keith of Kinkel applied,** *Mediguard Services Ltd. v. Thame* [1994] I.C.R. 751, E.A.T. **Decision of the Court of Appeal reversed,** [1994] 2 W.L.R. 409; [1994] I.C.R. 317, H.L.(E.)

R. v. Secretary of State for the Environment, *Ex parte* Comyn Ching & Co. (London) Ltd. (1884) 47 P. & C.R. 417. **Applied,** *R. v. Cornwall County Council, Ex parte Huntington* [1994] 1 All E.R. 694, C.A.

R. v. Secretary of State for the Environment, *Ex parte* Hammersmith and Fulham London Borough Council [1991] 1 A.C. 521; [1990] 3 W.L.R. 898; [1990] 3 All E.R. 589, H.L.(E.). **Considered,** *R. v. Parliamentary Comr. for Administration, Ex parte Dyer* [1994] 1 W.L.R. 621, D.C.

R. v. Secretary of State for the Environment, *Ex parte* Kent [1990] J.P.L. 124, C.A. **Distinguished,** *R. v. Cornwall County Council, Ex parte Huntington* [1994] 1 All E.R. 694, C.A.

R. v. Secretary of State for the Environment, *Ex parte* Ostler [1977] Q.B. 122; [1976] 3 W.L.R. 288; [1976] 3 All E.R. 90, C.A. **Applied,** *R. v. Cornwall County Council, Ex parte Huntington* [1994] 1 All E.R. 694, C.A.

R. v. Secretary of State for the Home Department, *Ex parte* Doody [1993] 3 W.L.R. 154; [1993] 3 All E.R. 92, H.L.(E.). **Considered,** *R. v. Higher Education Funding Council, Ex parte Institute of Dental Surgery* [1994] 1 W.L.R. 242, D.C.

R. v. Secretary of State for the Home Department, *Ex parte* Khawaja [1984] A.C. 74; [1983] 2 W.L.R. 321; [1983] 1 All E.R. 765, H.L.(E.). **Distinguished,** *New Zealand Maori Council v. Attorney-General of New Zealand* [1994] 2 W.L.R. 254, P.C.; *R. v. South Hams District Council, Ex parte Gibb* [1994] 3 W.L.R. 1151, C.A.

R. v. Secretary of State for the Home Department, *Ex parte* Parvaz Akhtar [1981] Q.B. 46; [1980] 3 W.L.R. 302; [1980] 2 All E.R. 735, C.A. **Considered,** *R. v. Secretary of State for the Home Department, Ex parte Naheed Ejaz* [1994] Q.B. 496; [1994] 2 W.L.R. 534, C.A.

R. v. Secretary of State for the Home Department, *Ex parte* T. [1994] Q.B. 378; [1994] 2 W.L.R. 190; [1994] 1 All E.R. 794. **Decision of the Divisional Court of the Queen's Bench Division reversed in part** [1994] 3 W.L.R. 1110, C.A.

R. v. Secretary of State for Transport, *Ex parte* Factortame Ltd. [1989] 2 C.M.L.R. 353, D.C.; [1990] 2 A.C. 85; [1989] 2 W.L.R. 997; [1989] 2 All E.R. 692, H.L.(E.). **Applied,** *R. v. Secretary of State for Employment, Ex parte Equal Opportunities Commission* [1994] 2 W.L.R. 409, H.L.(E.)

R. v. Secretary of State for Transport, *Ex parte* Factortame Ltd. (No. 2) (Case C 213/89) [1991] 1 A.C. 603; [1990] 3 W.L.R. 818; [1991] 1 All E.R. 70, H.L.(E.). **Applied,** *R. v. Secretary of State for Employment, Ex parte Equal Opportunities Commission* [1994] 2 W.L.R. 409, H.L.(E.)

R. v. Secretary of State for Transport, *Ex parte* Factortame Ltd. (No. 3) (Case C 221/89) [1992] Q.B. 680; [1992] 3 W.L.R. 288; [1991] 3 All E.R. 769, E.C.J. **Applied,** *R. v. Secretary of State for Employment, Ex parte Equal Opportunities Commission* [1994] 2 W.L.R. 409, H.L.(E.)

R. v. Seymour (Edward) [1983] 2 A.C. 493; [1983] 3 W.L.R. 349; [1983] 2 All E.R. 1058, H.L.(E.). **Disapproved,** *R. v. Adomako* [1994] 3 W.L.R. 288, H.L.(E.)

R. v. Sharp [1994] 2 W.L.R. 84; [1993] 3 All E.R. 225, C.A. **Considered,** *R. v. Bey* [1994] 1 W.L.R. 39, C.A.

R. v. Shephard [1993] A.C. 380; [1993] 2 W.L.R. 102; [1993] 1 All E.R. 225, H.L.(E.). **Applied,** *Connolly v. Lancashire County Council* [1994] R.T.R. 79, D.C.

R. v. Shivpuri [1987] A.C. 1; [1986] 2 W.L.R. 988; [1986] 2 All E.R. 334, H.L.(E.). **Considered,** *Director of Public Prosecutions v. Butterworth* [1994] 3 W.L.R. 538, H.L.(E.)

R. v. Sims [1946] K.B. 531, 540, C.C.A. **Dictum of Lord Goddard C.J. considered,** *R. v. Ryder* (1993) 98 Cr.App.R. 242, C.A.

R. v. Smith (1989) 11 Cr.App.R. (S.) 290, C.A. **Applied,** *R. v. Simons* (1993) 98 Cr.App.R. 100, C.A.

R. v. Smith (George) [1918] 2 K.B. 415; 13 Cr.App.R. 151, C.C.A. **Considered,** *R. v. Hacker* [1994] 1 W.L.R. 1659, H.L.(E.)

R. v. Solomon [1958] 1 Q.B. 203; [1957] 3 W.L.R. 915; [1957] 3 All E.R. 497, C.C.A. **Applied,** *R. v. Merseyside Coroner, Ex parte Carr* [1994] 1 W.L.R. 578, D.C.

R. v. South Hams District Council, *Ex parte* Gibb (1993) 26 H.L.R. 307. **Decision of Harrison J. affirmed** [1994] 3 W.L.R. 1151, C.A.

R. v. Southampton Justices, *Ex parte* Green [1976] Q.B. 11; [1975] 3 W.L.R. 277; [1975] 2 All E.R. 1073, C.A. **Considered,** *R. v. Central Criminal Court, Ex parte Guney* [1994] 1 W.L.R. 438, D.C.

R. v. Southwark Coroner, *Ex parte* Hicks [1987] 1 W.L.R. 1642; [1987] 2 All E.R. 140, D.C. **Considered,** *R. v. H.M. Coroner for North Humberside and Scunthorpe, Ex parte Jamieson* [1994] 3 W.L.R. 82, C.A.

R. v. Sparrow [1973] 1 W.L.R. 488; [1973] 2 All E.R. 129, C.A. **Applied,** *R. v. Martinez-Tobon* [1994] 1 W.L.R. 388, C.A.

R. v. Stally [1960] 1 W.L.R. 79; [1959] 3 All E.R. 814, C.A. **Distinguished,** *Director of Public Prosecutions v. Spriggs* [1994] R.T.R. 1, D.C.

R. v. Stratford-on-Avon, *Ex parte* Jackson [1985] 1 W.L.R. 1319, 1325; [1985] 3 All E.R. 769, C.A. **Applied,** *R. v. Secretary of State for Health, Ex parte Furneaux* [1994] 2 All E.R. 652, C.A.

R. v. Stretton (1986) 86 Cr.App.R. 7, C.A. **Distinguished,** *R. v. Lawless* (1993) 98 Cr.App.R. 342, C.A.

R. v. Swan Hunter Shipbuilders Ltd. [1981] I.C.R. 831; [1982] 1 All E.R. 264, C.A. **Considered,** *R.M.C. Roadstone Products Ltd. v. Jester* [1994] I.C.R. 456, D.C.

R. v. Tandy [1989] 1 W.L.R. 350; [1989] 1 All E.R. 267, C.A. **Considered,** *R. v. Sanderson* (1993) 98 Cr.App.R. 325, C.A.

R. v. Thornton [1992] 1 All E.R. 306, C.A. **Considered,** *R. v. Richens* [1993] 4 All E.R. 877, C.A.

R. v. Tower Hamlets London Borough Council, *Ex parte* Ferdous Begum [1993] A.C. 509; [1993] 2 W.L.R. 609; [1993] 2 All E.R. 65, H.L.(E.). **Applied,** *R. v. South Hams District Council, Ex parte Gibb* [1994] 3 W.L.R. 1151 ,C.A.

R. v. Tristram [1898] 2 Q.B. 371, D.C. **Applied,** *In re West Norwood Cemetery* [1994] Fam. 210; [1994] 3 W.L.R. 820

R. v. Turnbull [1977] Q.B. 224, 228–229; [1976] 3 W.L.R. 445; [1976] 3 All E.R. 549; 63 Cr.App.R. 132, C.A. **Applied,** *Farquharson v. R.* (1993) 98 Cr.App.R. 398, P.C.; *Amore v. The Queen* [1994] 1 W.L.R. 547, P.C. **Dicta of Widgery C.J. applied,** *R. v. Fergus* (1993) 98 Cr.App.R. 313, C.A. **Considered,** *R. v. Bentley* (1991) 99 Cr.App.R. 342, C.A. *R. v. Pemberton* (1993) 99 Cr.App.R. 228, C.A.

R. v. Turner (Terence) [1975] Q.B. 834; [1975] 2 W.L.R. 56; [1975] 1 All E.R. 70, C.A. **Considered,** *R. v. Robinson* [1994] 3 All E.R. 346; 98 Cr.App.R. 370, C.A.

R. v. Tyrrell [1894] 1 Q.B. 710. **Applied,** *R. v. Pickford* [1994] 3 W.L.R. 1022, C.A.

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R. v. Weekes (1992) 97 Cr.App.R. 222, C.A. **Applied,** *R. v. Park* (1993) Cr.App.R. 270, C.A.

R. v. Westminster City Council, *Ex parte* Monahan [1990] 1 Q.B. 87; [1989] 3 W.L.R. 408; [1989] 2 All E.R. 74, C.A. **Considered,** *Good v. Epping Forest District Council* [1994] 1 W.L.R. 376, C.A.

R. v. Whale [1991] Crim.L.R. 692. **Followed,** *R. v. Bull* (1993) 99 Cr.App.R. 193, C.A.

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R. v. Williams (Carl) [1982] 1 W.L.R. 1398, 1401, 1402; [1982] 3 All E.R. 1092, C.A. **Dictum of Lord Lane C.J. applied,** *Attorney-General's Reference (No. 22 of 1992)* [1994] 1 All E.R. 105, C.A.

R. v. Williams (Gladstone) [1987] 3 All E.R. 411; 78 Cr.App.R. 276, C.A. **Applied,** *Blackburn v. Bowering* [1994] 1 W.L.R. 1324, C.A.

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R. v. Winterton [1933] Crim.L.R. 322, C.A. **Distinguished,** *R. v. Duncan (Anthony)* [1994] R.T.R. 93, C.A.

R. v. Wood (William Douglas) [1987] 1 W.L.R. 779; 85 Cr.App.R. 287, C.A. **Considered,** *R. v. Hacker* [1994] 1 W.L.R. 1659, H.L.(E.)

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Ralston v. Greater Glasgow Health Board, 1987 S.L.T. 386. **Approved,** *Knowles v. Liverpool City Council* [1994] I.C.R. 243, H.L.(E.)

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Rao v. Civil Aviation Authority [1994] I.C.R. 503, E.A.T. **Decision of the Employment Appeal Tribunal affirmed** [1994] I.C.R. 495, C.A.

Rashtriya Chemicals and Fertilizers Ltd. v. Huddart Parker Industries Ltd. [1988] 1 Lloyd's Rep. 342. **Considered,** *Gill & Duffus S.A. v. Rionda Futures Ltd.* [1994] 2 Lloyd's Rep. 67

Rath v. C.S. Lawrence & Partners [1991] 1 W.L.R. 399; [1991] 3 All E.R. 679, C.A. **Applied,** *Fort Sterling Ltd. v. South Atlantic Cargo Shipping N.V.* [1994] 1 Lloyd's Rep. 559

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Red Sea Insurance Co. v. Bouygues S.A. [1993] 2 H.K.L.R. 161. **Decision of the Court of Appeal of Hong Kong reversed** [1994] 3 W.L.R. 926, P.C.

Reichert v. Dresdner Bank A.G. (Case C-115/88) [1990] E.C.R. I-27, E.C.J. **Applied,** *Webb v. Webb (Case C-294/92)* [1994] Q.B. 696; [1994] 3 W.L.R. 801, E.C.J.

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Rena K., The [1979] Q.B. 377; [1978] 3 W.L.R. 431; [1979] 1 All E.R. 397; [1978] 1 Lloyd's Rep. 545. **Applied,** *Gidrxslme Shipping Co. Ltd. v. Tantomar-Transportes Maritimos Lda.* [1994] 4 All E.R. 507. **Considered,** *Republic of India v. India Steamship Co. Ltd.* [1994] 2 Lloyd's Rep. 331

Rex Williams Leisure Plc., *In re* [1994] Ch. 1; [1993] 3 W.L.R. 685; [1993] 2 All E.R. 741. **Decision of Sir Donald Nicholls V.-C. affirmed** [1994] Ch. 352; [1994] 3 W.L.R. 745, C.A.

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Rich (Marc) & Co. v. Bishop Rock Marine Co. Ltd. [1992] 2 Lloyd's Rep. 481. **Decision of Hirst J. reversed** [1994] 1 W.L.R. 1071, C.A.

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Richmond v. North London Railway Co. (1865) 5 Eq. 352; L.R. 3 Ch.App. 689. **Distinguished,** *Mid Glamorgan County Council v. Ogwr Borough Council* (1993) 92 L.G.R. 244, C.A.

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Robbie (N. W.) & Co. Ltd. v. Witney Warehouse Co. Ltd. [1963] 1 W.L.R. 1324; [1963] 3 All E.R. 636, C.A. **Followed,** *In re ELS Ltd.* [1994] 3 W.L.R. 616

Robertson v. Hamilton, 1915 2 S.L.T. 195. **Considered,** *Lonrho Plc. v. Fayed (No. 4)* [1994] 2 W.L.R. 209, C.A.

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Rolph v. Zolan [1993] 1 W.L.R. 1305; [1993] 4 All E.R. 202, C.A. **Applied,** *Singh (Joginder) v. Duport Harper Foundries Ltd.* [1994] 1 W.L.R. 769, C.A.

Ross v. Caunters [1980] Ch. 297; [1979] 3 W.L.R. 605; [1979] 3 All E.R. 580. **Distinguished,** *Hemmens v. Wilson Browne (a firm)* [1994] 2 W.L.R. 323

Ross v. H.M. Advocate, 1991 S.L.T. 564. **Considered,** *R. v. Kingston* [1994] 3 W.L.R. 519, H.L.(E.)

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Roundwood Colliery Co., *In re*; Lee v. Roundwood Colliery Co. [1897] 1 Ch. 373, C.A. **Followed,** *In re ELS Ltd.* [1994] 3 W.L.R. 616

Rowlands (Mark) Ltd. v. Berni Inns Ltd. [1986] Q.B. 211; [1985] 3 W.L.R. 964; [1985] 3 All E.R. 473, C.A. **Approved,** *Siu Yin Kwan v. Eastern Insurance Co. Ltd.* [1994] 2 A.C. 199; [1994] 2 W.L.R. 370, P.C. **Considered,** *National Oilwell (U.K.) Ltd. v. Davy Offshore Ltd.* [1993] 2 Lloyd's Rep. 582

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Royal Trust Co. of Canada v. Markham [1975] 1 W.L.R. 1416; [1975] 3 All E.R. 433, C.A. **Considered,** *Target Home Loans v. Clothier* [1994] 1 All E.R. 439, C.A.

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Russell v. Duke of Norfolk [1949] 1 All E.R. 109, 118, C.A. **Dicta of Tucker L.J. applied,** *Rees v. Crane* [1994] 2 A.C. 175; [1994] 2 W.L.R. 476, P.C.

Russell v. Town and County Bank Ltd. (1888) 13 App.Cas. 418; 2 T.C. 321, H.L.(Sc). **Applied,** *Gallagher v. Jones* [1994] Ch. 107; [1994] 2 W.L.R. 160, C.A.

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S. v. Huddersfield Borough Council [1975] Fam. 113; [1975] 2 W.L.R. 697; [1974] 3 All E.R. 296, C.A. **Applied,** *In re C. (A Minor) (Adoption)* [1994] 1 W.L.R. 1220, C.A.

St. Anne's, Wrenthorpe, *In re* [1994] Fam. 84; [1994] 2 W.L.R. 338. **Considered,** *In re St. Luke the Evangelist* [1994] 3 W.L.R. 1165

St. Barnabas, Dulwich, *In re* [1994] Fam. 124; [1994] 2 W.L.R. 545. **Considered,** *In re St. Luke the Evangelist, Maidstone* [1994] 3 W.L.R. 1165

St. Mary's, Banbury, *In re* [1986] Fam. 24; [1985] 3 W.L.R. 885; [1985] 2 All E.R. 611; [1987] Fam. 136; [1987] 3 W.L.R. 717; [1987] 1 All E.R. 247. **Applied,** *In re St. Barnabas, Dulwich* [1994] Fam. 124; [1994] 2 W.L.R. 545; *In re West Norwood Cemetery* [1994] Fam. 210; [1994] 3 W.L.R. 820

St. Mary's, Banbury, *In re* [1987] Fam. 136; [1987] 3 W.L.R. 717; [1987] 1 All E.R. 247, Arches Ct. **Applied,** *In re St. Anne's, Wrenthorpe* [1994] Fam. 83; [1994] 2 W.L.R. 338; *In re St. James, Shirley* [1994] Fam. 134; [1994] 3 W.L.R. 52

St. Mary's Banbury, *In re* [1987] Fam. 136, 145; [1987] 3 W.L.R. 717; [1987] 1 All E.R. 247. **Dictum of Sir John Owen, Dean of the Arches explained,** *In re St. Luke the Evangelist, Maidstone* [1994] 3 W.L.R. 1165

St. Peter's Churchyard, Oughtrington, *In re* [1993] 1 W.L.R. 1440; [1994] 1 All E.R. 90. **Applied,** *In re St. Mary's Churchyard,* Alderley [1994] 1 W.L.R. 1478

Saif Ali v. Sydney Mitchell & Co. [1980] A.C. 198; [1978] 3 W.L.R. 849; [1978] 3 All E.R. 1033, H.L.(E.). **Dictum of Lord Diplock applied,** *Brown v. KMR Services* [1994] 4 All E.R. 385

Salton v. New Beeston Cycle Co. [1990] 1 Ch. 43. **Considered,** *Wilson v. Leek General Comrs.* (1993) T.C. Leaflet No. 3388

Säger v. Dennemeyer & Co. Ltd. (Case C-76/90) [1991] E.C.R. I-4221, E.C.J. **Applied,** *Customs and Excise Comrs. v. Schindler (Case C-275/92)* [1994] Q.B. 610; [1994] 3 W.L.R. 103, E.C.J.

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Sanders v. van der Putte (Case 73/77) [1977] E.C.R. 2383, E.C.J. **Applied,** *Webb v. Webb (Case C-294/92)* [1994] Q.B. 696; [1994] 3 W.L.R. 801, E.C.J.

Saunders v. Edwards [1987] 1 W.L.R. 1116; [1987] 2 All E.R. 651, C.A. **Dicta of Nicholls L.J. considered,** *Salvesen v. Simons* [1994] I.C.R. 409, E.A.T. **Disapproved,** *Tinsley v. Milligan* [1994] 1 A.C. 340; [1993] 3 W.L.R. 126; [1993] 3 All E.R. 65, H.L.(E.)

Scott v. Baker [1969] 1 Q.B. 659; [1968] 3 W.L.R. 796; [1968] 2 All E.R. 993, D.C. **Applied,** *Roberts v. Director of Public Prosecutions* [1994] R.T.R. 31

Scott v. The Queen [1989] A.C. 1242; [1989] 2 W.L.R. 924; [1989] 2 All E.R. 305, P.C. **Applied,** *Amore v. The Queen* [1994] 1 W.L.R. 547, P.C.; **Considered,** *Freemantle v. The Queen* [1994] 1 W.L.R. 1437, P.C.

Seaboard Offshore Ltd. v. Secretary of State for Transport [1993] 1 W.L.R. 1025; [1993] 3 All E.R. 25, D.C. **Decision of the Divisional Court of the Queen's Bench Division affirmed** [1994] 1 W.L.R. 541, H.L.(E.)

Seaconsar Far East Ltd. v. Bank Markazi Jomhouri Islami Iran [1994] 1 A.C. 438; [1993] 3 W.L.R. 756; [1993] 4 All E.R. 456. **Applied,** *Bank of Baroda v. Vysya Bank Ltd.* [1994] 2 Lloyd's Rep. 87

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Seagull Manufacturing Co. Ltd., *In re* [1993] Ch. 345; [1993] 2 W.L.R. 872; [1993] 2 All E.R. 980, C.A. **Considered,** *In re Seagull Manufacturing Co. Ltd. (No. 2)* [1994] Ch. 91; [1994] 2 W.L.R. 453

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Secretary of State for Social Security v. Tunnicliffe [1991] 2 All E.R. 712, C.A. **Overruled,** *Plewa v. Chief Adjudication Officer* [1994] 3 W.L.R. 317, H.L.(E.)

Secretary of State for the Environment v. Euston Centre Investments Ltd. [1994] 1 W.L.R. 563; [1994] 2 All E.R. 415. **Decision of John Cherryman Q.C. sitting as a deputy judge of the Chancery Division reversed** [1994] 3 W.L.R. 1081, C.A.

Seeger v. Duthie (1860) 8 C.B.(N.S.) 45. **Considered,** *Aectra Refining and Manufacturing Inc. v. Exmar N.V.* [1994] 1 W.L.R. 1634, C.A.

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Sevenoaks Stationers (Retail) Ltd., *In re* [1991] Ch. 164; [1990] 3 W.L.R. 1165; [1991] 3 All E.R. 578, C.A. **Applied,** *In re Carecraft Construction Co. Ltd.* [1994] 1 W.L.R. 172

Shaw v. Director of Public Prosecutions [1993] 1 All E.R. 918; [1993] R.T.R. 45; 97 Cr.App.R. 1, D.C. **Approved,** *Director of Public Prosecutions v. Butterworth* [1994] 3 W.L.R. 538, H.L.(E.). **Followed,** *Butterworth v. Director of Public Prosecutions* [1994] R.T.R. 181, D.C.

Shaw v. Kay (1904) 5 T.C. 74. **Considered,** *Lonrho Plc. v. Fayed (No. 4)* [1994] 2 W.L.R. 209, C.A.

Sheldon v. R.H.M. Outhwaite (Underwriting Agencies) Ltd. [1994] 1 W.L.R. 754. **Decision of Saville J. reversed** [1994] 3 W.L.R. 999, C.A.

Shelley v. Paddock [1980] Q.B. 348; [1980] 2 W.L.R. 647; [1980] 1 All E.R. 1009, C.A. **Distinguished,** *Salvesen v. Simons* [1994] I.C.R. 409, E.A.T.

Sheppard v. Glossop Corpn. [1921] 3 K.B. 132, C.A. **Distinguished,** *Stovin v. Wise* [1994] 1 W.L.R. 1124, C.A.

Sherdley v. Sherdley [1986] 1 W.L.R. 732; [1986] 2 All E.R. 202, C.A. **Considered,** *Racal Group Services Ltd. v. Ashmore* (1993) T.C. Leaflet No. 3400

Shipping Corpn. of India Ltd. v. Gamlen Chemical Co. Australasia Pty. Ltd. (1980) 147 C.L.R. 142. **Applied,** *Great China Metal Industries Co. Ltd. v. Malaysian International Shipping Corpn. Berhad* [1994] 1 Lloyd's Rep. 455

Siebe Gorman & Co. Ltd. v. Barclays Bank Ltd. [1979] 2 Lloyd's Rep. 142. **Followed,** *Secretary of State for Employment v. Stone* [1994] I.C.R 761, E.A.T.

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Simpson v. Tate [1925] 2 K.B. 214. **Applied,** *Fitzpatrick v. Inland Revenue Comrs.* [1994] 1 W.L.R. 306, H.L.(E. & Sc.)

Sinclair v. Brougham [1914] A.C. 398, H.L.(E.). **Applied,** *Westdeutsche Landesbank Girozentrale v. Islington London Borough Council* [1994] 1 W.L.R. 938, C.A.

Singh v. Observer Ltd. [1989] 2 All E.R. 751, 756, 757. **Considered,** *Shah v. Karanjia* [1993] 4 All E.R. 792

Slater, *In re*; Slater v. Slater [1907] 1 Ch. 665, C.A. **Applied,** *In re Dorman, decd.* [1994] 1 W.L.R. 282

Slater v. Richardson and Bottoms Ltd. [1980] 1 W.L.R. 563; [1979] 3 All E.R. 439. **Considered,** *Kelsall v. Investment Chartwork Ltd.* (1993) T.C. Leaflet No. 3384

Slock's Will Trusts, *In re* [1979] 1 All E.R. 358. **Considered,** *Racal Group Services Ltd. v. Ashmore* (1993) T.C. Leaflet No. 3400

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White v. Weston [1968] 2 Q.B. 647; [1968] 2 W.L.R. 1459; [1968] 2 All E.R. 842, C.A. **Applied,** *Willowgreen Ltd. v. Smithers* [1994] 1 W.L.R. 832, C.A.

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Wood v. Ealing London Borough Council [1967] Ch. 364; [1966] 3 W.L.R. 1209; [1966] 3 All E.R. 514. **Considered,** *E. (A Minor) v. Dorset County Council* [1994] 3 W.L.R. 853, C.A.

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Woodling, *In re* [1984] 1 W.L.R. 348; [1984] 1 All E.R. 593, H.L.(E.). **Applied,** *Mallinson v. Secretary of State for Social Security* [1994] 1 W.L.R. 630, H.L.(E.)

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s. 2: Siu Yin Kwan v. Eastern Insurance Co. Ltd. [1994] 2 A.C. 199; [1994] 2 W.L.R. 370, P.C.

1835 **Municipal Corporations Act** (5 & 6 Will. 4, c. 76)
s. 2: Peggs v. Lamb [1994] 2 W.L.R. 1

1841 **School Sites Act** (4 & 5 Vict. c. 38)
s. 2: Marchant v. Onslow [1994] 3 W.L.R. 607

1861 **Offences against the Person Act** (24 & 25 Vict. c. 100)
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s. 47: Reg. v. Chan-Fook [1994] 1 W.L.R. 689, C.A.

1869 **Debtors Act** (32 & 33 Vict. c. 62)
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1898 **Criminal Evidence Act** (61 & 62 Vict. c. 36)
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1898 **Revenue Act** (61 & 62 Vict. c. 46)
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1925 **Settled Land Act** (15 Geo. 5, c. 18)
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1947 **Crown Proceedings Act** (10 & 11 Geo. 6, c. 44)
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1957 **Homicide Act** (5 & 6 Eliz. 2, c. 11)
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1959 **Street Offences Act** (c. 57)
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s. 29(1): Carter v. Secretary of State for the Environment [1994] 1 W.L.R. 1212, C.A.
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1967 **Parliamentary Commissioner Act** (c. 13)
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1969 **Finance Act** (c. 25)
s. 24(7)(11): Marshall v. Kerr [1994] 3 W.L.R. 299, H.L.(E.)
Employer's Liability (Defective Equipment) Act (c. 37)
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1970 **Taxes Management Act** (c. 9)
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Income and Corporation Taxes Act (c. 10)
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s. 2: Reg. v. Secretary of State for Foreign and Commonwealth Affairs, *Ex parte* Rees-Mogg [1994] Q.B. 552; [1994] 2 W.L.R. 115, D.C.
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1975 **Social Security Act** (c. 14)
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s. 119: Plewa v. Chief Adjudication Officer [1994] 3 W.L.R. 317, H.L.(E.)
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